

Those of us who have had to deal with this holding-company evil know that it is very real, and not a phantom affliction. We know that the legislation proposed is neither punitive nor vindictive. It is a practical measure to meet practical realities. I have seldom been accused of being an extremist in words or in action, but if we fail to destroy this holding-company menace, I say it will ruin us in the end.

The pending bill takes the greatest care to preserve every element of legitimate value for the investor. I think it will give the ordinary investor much more protection than if his property were left to the uncontrolled whim of the holding-company managers, who have taken away the savings of the people and given them next to nothing in return. The holding-company managers are not fighting for the investor, they are not fighting for the consumer; they are fighting only for power over other people's money, other people's business, and other people's lives.

Mr. BONE. Mr. President—

The PRESIDING OFFICER (Mr. MOORE in the chair). Does the Senator from New Hampshire yield to the Senator from Washington?

Mr. BROWN. I yield.

Mr. BONE. If the holding-company managers had thought of the investor in 1929, as they profess to think of him now, and had exercised their thought and their energy, they might have saved the investor at that time. But there was not a murmur from the heads of the big holding companies in 1929, not a single syllable of protest from their lips about the fate of those whom the Senator has mentioned, friends of men who sit on the floor of the Senate, but only reproach for those who saw fit to criticize the "Old Counsellor" in Chicago, speaking for Halsey, Stuart & Co., the man with the mellifluous voice and the flow of honeyed words that came over the radio and helped to separate the people of this country from their money.

Mr. BROWN. Mr. President, I came to Congress with the hope that I might do what I could to put an end to holding-company abuses, and I consider it my duty to cast my vote for the pending bill, which strikes a blow at those aggregations of special privilege which threaten the liberty of a free people.

RECESS

Mr. ROBINSON. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess until tomorrow, Thursday, June 6, 1935, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 5 (legislative day of May 13), 1935

COLLECTOR OF INTERNAL REVENUE

Nat Rogan, of San Diego, Calif., to be collector of internal revenue for the sixth district of California, to fill an existing vacancy.

PUBLIC HEALTH SERVICE

Dr. Theodore J. Bauer to be Assistant Surgeon in the United States Public Health Service, to take effect from date of oath.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 5 (legislative day of May 13), 1935

POSTMASTERS

NEW JERSEY

Stephen W. Margerum, Princeton.

PENNSYLVANIA

George Ramsey, Cheltenham.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 5, 1935

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, we pray in the name of Him on whom we build our temple of hope and happiness. Thou dost have compassion according to the multitude of Thy mercies; Thou hast not dealt with us after our sins nor rewarded us according to our iniquities; Thou art our king and our judge. We beseech Thee to chasten and hallow us by the vision of Thy eternal holiness. Ashamed of our failures and inferiority, may we vividly see what we ought to be and pray that we may lead worthier lives. Identify us with the splendor and the unity of our historic institutions. Reveal unto men noble and enduring purposes that shall give them moral strength, and hasten the time when all peoples shall be righteous. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate disagrees to the amendments of the House to the bill (S. 2105) entitled "An act to provide for an additional number of cadets at the United States Military Academy, and for other purposes", requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SHEPPARD, Mr. FLETCHER, and Mr. CAREY to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 462. An act to authorize an extension of exchange authority and addition to public lands to the Willamette National Forest in the State of Oregon.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On May 23, 1935:

H. R. 4005. An act to amend section 21 of the Interstate Commerce Act, as amended, with respect to the time of making the annual report of the Interstate Commerce Commission.

On May 24, 1935:

H. R. 157. An act to amend section 5296 of the Revised Statutes of the United States;

H. R. 378. An act for the relief of Gerald Mackey;

H. R. 5707. An act to ratify and confirm the corporate existence of the city of Nome, Alaska, and to authorize it to undertake certain municipal public works, including the construction, reconstruction, enlargement, extension, and improvement of its sewers and drains, fire-fighting system, streets and alleys, sidewalks, curbs and gutters, and a municipal building, and for such purposes to issue bonds in any sum not exceeding \$100,000; and

H. J. Res. 249. Joint resolution to provide for participation by the United States in the Eighth International Congress of Military Medicine and Pharmacy to be held at Brussels, Belgium, in June 1935.

On May 27, 1935:

H. R. 4239. An act authorizing the Secretary of Commerce to convey to the city of Grand Haven, Mich., certain portions of the Grand Haven Lighthouse Reservation, Mich.;

H. R. 5444. An act to authorize the Department of Commerce to make special statistical studies upon payment of the cost thereof, and for other purposes; and

H. R. 6143. An act to extend the time during which domestic animals which have crossed the boundary line into foreign countries may be returned duty free.

On May 28, 1935:

H. R. 6021. An act to provide additional home-mortgage relief, to amend the Federal Home Loan Bank Act, the Home Owners' Loan Act of 1933, and the National Housing Act, and for other purposes;

H. R. 6085. An act to authorize the incorporated town of Petersburg, Alaska, to undertake certain municipal public works, including the filling, grading, and paving of streets and sidewalks, the construction and improvement of sewers and construction of necessary bridges and viaducts in connection with the same, and for such purposes to issue bonds in any sum not exceeding \$35,000;

H. R. 6654. An act to increase the White House Police force, and for other purposes;

H. R. 6723. An act to authorize the town of Valdez, Alaska, to construct a public-school building, and for such purpose to issue bonds in any sum not exceeding \$30,000; and to authorize said town to accept grants of money to aid it in financing any public works; and

H. R. 7131. An act to authorize the Secretary of Commerce to dispose of certain lighthouse reservations, and for other purposes.

On May 29, 1935:

H. R. 2045. An act to set aside certain lands for the Chippewa Indians in the State of Minnesota;

H. R. 3975. An act to provide for the establishment of a Coast Guard station on the coast of Georgia at or near Sea Island Beach; and

H. R. 6954. An act to authorize the transfer of the Green Lake Fish Cultural Station in Hancock County, Maine, as an addition to Acadia National Park.

On May 31, 1935:

H. R. 972. An act for the relief of John Costigan;

H. R. 1846. An act for the relief of Daniel W. Seal;

H. R. 2192. An act for the relief of Harry B. Walmsley; and

H. R. 6114. An act to amend section 128 of the Judicial Code, as amended.

On June 3, 1935:

H. R. 3721. An act for the relief of Angelo J. Gillotti.

On June 4, 1935:

H. R. 2046. An act to compensate the Chippewa Indians of Minnesota for lands set aside by treaties for their future homes and later patented to the State of Minnesota under the Swamp Land Act;

H. R. 4528. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, La.;

H. R. 5547. An act to extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near St. Francisville, Mo.;

H. R. 6834. An act to revive and reenact the act entitled "An act authorizing Vernon W. O'Connor, of St. Paul, Minn., his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Rainy River at or near Baudette, Minn.";

H. R. 6859. An act granting the consent of Congress to the State Highway Commission of North Carolina to construct, maintain, and operate a free highway bridge across Waccamaw River at or near Old Pireway Ferry Crossing, N. C.;

H. R. 6997. An act authorizing the State of Illinois and the State of Missouri to construct, maintain, and operate a free highway bridge across the Mississippi River between Kaskaskia Island, Ill., and St. Marys, Mo.; and

H. R. 7291. An act to extend the times for commencing and completing the construction of a bridge across the Rio Grande at or near Boca Chica, Tex.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOEPEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. McSWAIN. Mr. Speaker, reserving the right to object, and I shall not, I do wish to say that I hope these requests will not multiply, because we have a lot of business to do and have been waiting a long time to be reached under the Calendar Wednesday rule.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOEPEL. Mr. Speaker, the recent department convention of the Spanish-American War veterans held at Berkeley, Calif., by resolution thanked the Republican Governor of the State of California for the joint-assembly resolution passed by the legislature petitioning Congress to restore to the Spanish War veterans' lists the 17,000 Spanish War veterans who were taken from the pension lists by the Economy Act.

The Pensions Committee of the House, of which I am a member, unanimously reported the bill H. R. 6995, but thus far our committee chairman has been unable to obtain a rule or receive recognition from the Speaker to call the bill up under suspension of the rules.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. HOEPEL. I yield.

Mr. BLANTON. If the gentleman would introduce a rule and let it go regularly to the Rules Committee, he could probably get a hearing on it.

Mr. HOEPEL. Answering the gentleman from Texas, I am confident he is favorable to the passage of H. R. 6995, and I hope he will assist us in obtaining a rule for its consideration.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. HOEPEL. I would like to yield, but my time is limited.

Mr. O'CONNOR. Is the gentleman talking about the Spanish War veteran pension bill?

Mr. HOEPEL. Yes; H. R. 6995.

Mr. O'CONNOR. There has just been called to my attention a letter signed by the Chairman of the Committee on Pensions, in which he states:

I then went to Chairman O'CONNOR, of the Rules Committee, and asked him for a hearing before his committee on this bill. He has absolutely refused to grant me this hearing.

[Here the gavel fell.]

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent that the gentleman from California be given 2 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, the Chairman of the Committee on Pensions is absolutely mistaken, for I have never refused him a hearing on this bill or any other bill. The Rules Committee has never operated that way; they never refuse hearings. So this letter which I hear has been sent to all Members of the House contains an absolute misstatement that I ever refused a hearing on this bill or refused a hearing on any other bill.

Mr. HOEPEL. Mr. Speaker, answering the distinguished gentleman from New York, I would like to say that I am pleased to have this information. I believe he himself is in favor of the passage of this pension legislation, and I do hope he will give the chairman of our committee a rule so this question can be passed upon by the House before Congress adjourns.

Mr. TRUAX. Mr. Speaker, will the gentleman yield?

Mr. HOEPEL. I yield.

Mr. TRUAX. I also am glad to hear the gentleman from New York make the statement he has made. I am interested in the bill, as are a number of other Members; and I hope the Chairman of the Rules Committee will grant a hearing on this matter.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. HOEPEL. I yield.

Mr. BOILEAU. I want to ask the distinguished Chairman of the Rules Committee when he is going to grant this hearing?

Mr. O'CONNOR. I did not say as to when the committee was going to hold a hearing; I said I had not refused a hearing.

[Here the gavel fell.]

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from California may proceed for 1 additional minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. DUFFEY of Ohio. Mr. Speaker, I object.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BLANTON. I would like to ask the Chairman of the Rules Committee if it would not be of assistance in those cases where rules are desired for the Member to introduce the rule and let it come regularly before his committee? Would not that be of assistance to him and his committee?

Mr. O'CONNOR. No; we usually draft the rules in the committee.

Mr. HOEPEL. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein this resolution, to which I have referred.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. DUFFEY of Ohio. Mr. Speaker, I object.

COMMITTEE ON IRRIGATION AND RECLAMATION

Mr. AYERS. Mr. Speaker, I ask unanimous consent to submit a supplemental report from the Committee on Irrigation and Reclamation concerning the bill S. 1305.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

PUERTO RICO ASKS FOR STATEHOOD

Mr. IGLESIAS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in reference to certain bills I have introduced in the House.

The SPEAKER. Is there objection to the request of the Commissioner from Puerto Rico?

There was no objection.

Mr. IGLESIAS. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to say that a delegation of the legislators of Puerto Rico, comprised of Senators Martinez Nadal, Bolivar Pagan, Alfonso Valdes, and Reyes Delgado, and Representatives Miguel A. Garcia Mendez, Rivera Zayas, Jorge Gauthier, and Leopoldo Figueroa has appeared before the House Committees on the Territories and Insular Affairs to request the consideration of pending bills for the liberalization of the Organic Act of Puerto Rico with a view to ultimate statehood for the island.

Correspondents of the bigger newspapers of New York have written stories which were sent from San Juan, the capital of Puerto Rico, in connection with this matter. Here I should like to insert the views of one of these writers whose story appeared in the New York Times:

Puerto Rico, which President Harding once called "our Caribbean State", would become a State in fact under a bill now before Congress. A delegation of Puerto Ricans, headed by Rafael Martinez Nadal, president of the island's senate, is now in Washington for a public hearing on the bill before the House Committee on Insular Affairs.

The desire for island statehood is expressed in a legislative resolution adopted a year ago, declaring that "the people of Puerto Rico desire to become a State." The bill to get the resolution before Congress was introduced at the present session of Congress by Resident Commissioner SANTIAGO IGLESIAS, Puerto Rico's spokesman at Washington.

The statehood resolution marked the first formal request to Congress for a final definition of the island's status, with a fixed objective, to be made by the legislature since Puerto Rico ceased to be a Spanish colony in 1898. The dream of ultimate statehood, however, goes back to the days of the Spanish regime.

REASONS FOR STAND

Basically, Puerto Ricans want their island to become a State in order to end uncertainties of both political and personal security. Independence and the establishment of a republic, even though guided by the United States, would provide no such security, many believe. Those who advocate the statehood step grant that it might increase rather than lighten the island's economic burdens, but they profess to be willing to pay this price for the one advantage of future safety both through association with and membership in the family of States.

Statehood, they say, would end for all time a sense of political inferiority, of which frequently the island people have complained. The movement for complete independence, which has always been present in the island, has at times gained temporary ground because of emphasis which its sponsors have placed on what they term Puerto Rico's second-class American citizenship under the Organic Act of 1917, which does not carry the right to vote for President. Further, advocates of statehood assert, no other form of government Congress might provide for the island would be quite so liberal as the autonomous regime Spain granted Puerto Rico just prior to the Spanish-American War—a form whose effective establishment was interrupted by the landing of American soldiers on island soil. Hostilities between the United States and Spain, though short-lived, ended at its very inception a regime of self-government for the island.

STATEMENTS BY DEMOCRATS

Another cause for seeking a definite hearing on the statehood bill has been the frequent statements from members of the present administration in substance asserting that Puerto Ricans should have the form of government they want—that independence would be granted if that is what the island wants. Statehood advocates would spike this seeming trend toward independence cause. Senators TYDINGS, KING, and REYNOLDS are credited with lending aid, unconsciously, perhaps, to the independence cause, while Dr. Ernest H. Gruening, head of the new Division of Territories and Insular Possessions, has stated that island independence was possible but has been less specific about possible statehood.

These statements have led statehood leaders to want to know from Congress just where the island stands. This verbal voicing of seeming sympathy for island independence from Democrats whose party platform declares for the island's ultimate statehood is a phase of new-deal expression Puerto Rico fails to comprehend.

Before Puerto Rico can gain statehood from Congress it must convince Washington that statehood is the desire of the majority, and that the island is prepared to assume the responsibilities such a changed status would bring. The present coalition majority, which elected 14 out of 19 Senators and 30 out of 37 Representatives in the legislature, contends that its election gave it a mandate to seek statehood. Island voters definitely turned from the independence party, in power from 1904 to 1932, to put the coalition in power, its leaders contend.

POINTS RAISED BY ICKES

Secretary of the Interior Ickes, who in the last year has been given supervision over Puerto Rico, recently outlined some of the points to be considered before both the United States and Puerto Rico should jointly decide on the statehood step. He raised the following points:

(1) That statehood for Puerto Rico would establish a new precedent by including in the Union as a sovereign State territory not actually contiguous with other States or Territories.

(2) Despite the precedent set in admitting Arizona and New Mexico, more than 20 years ago, where Spanish as a language persists, in admitting Puerto Rico to statehood, the United States for the first time would be including as a sovereign State a population of wholly different cultures, tradition, and language, and one whose culture and language are not likely to be altered by infiltration. The Secretary explained that he did not raise the point as an objection, but one which might result in discussion and opposition in Congress.

(3) Asserting there was some opposition to statehood in Puerto Rico, he said the admission of the island as a State against the wishes of a considerable majority would be both without precedent and undesirable.

(4) That the rights of the people already in the Union as well as those in the Territory seeking admission were involved.

(5) That statehood, once gained, according to American precedent, would be permanent.

STATEHOOD BILL NO. 1394 FOR PUERTO RICO

Puerto Rico is an organized Territory of the United States under the supreme authority of Congress. Article II of the treaty of Paris between the United States and Spain, of 1899, provided that the civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by Congress.

The treaty contained no promise or declaration regarding the political status of the inhabitants of Puerto Rico affected by the cession, but left the matter entirely to be decided by Congress.

Congress, as contemplated in the treaty of peace, granted American citizenship to Puerto Rico in 1917 and, under the

Jones Act, created a political body and a civil government, composed of American citizens in Puerto Rico, owing allegiance to and entitled to the protection of the United States. The island has over 1,600,000 American citizens and, for nearly three generations, our men, women, and children and the children of our children have been born under the American flag, and have been taught the American ideals of government in the political forum of public opinion and in our schools and courts.

We have rejected all formulas of a colonial government. We consider this formula disgraceful and not compatible with the civil dignity of our Nation and, therefore, we proclaim the permanent union of the people of Puerto Rico with the people of the United States to maintain and consecrate socially, politically, and industrially a democratic community with the same rights and duties as any community of our Nation. We want and are anxious to be recognized as an integral part of the States of the Union, to lead our future along that line.

Puerto Rico literally stands at the crossroads of the world, at the entrance to the Caribbean region and on a direct line between east and west, north and south. San Juan, the capital and chief port, is but 1,000 miles from the Panama Canal, 1,300 miles from New York and Philadelphia, less than 1,000 miles away from Havana, and less than 4,000 miles from the great European markets.

The Democratic platform of 1932 advocated, along with independence for the Philippine Islands, ultimate statehood for Puerto Rico. The 1928 platform had recommended territorial status for the island, "with a view to ultimate statehood accorded to all Territories of the United States since the beginning of our Government."

New Mexico and Arizona were the last States to be organized; their acceptance as States occurred in 1912. A Territory is traditionally ready for statehood when it has as many inhabitants as a congressional district of the older States. In 1872 Congress ordered this rule followed in all future cases, but since one Congress cannot bind another, the rule was later disregarded in the admission of Nevada, Wyoming, and Idaho.

The population of Puerto Rico at the last census of 1930 was 1,543,913, enough to entitle it, as a State, to six Members of the House of Representatives and the customary two Senators. (At present the Island has a single resident commissioner in the House, with a voice but not vote.) Eighteen of the present 48 States have fewer people, as follows:

Arizona.....	435, 573
Colorado.....	1, 035, 791
Delaware.....	238, 380
Florida.....	1, 468, 211
Idaho.....	445, 032
Maine.....	797, 423
Montana.....	537, 606
Nebraska.....	1, 377, 963
Nevada.....	91, 058
New Hampshire.....	465, 293
New Mexico.....	423, 317
North Dakota.....	680, 845
Oregon.....	853, 786
Rhode Island.....	687, 497
South Dakota.....	692, 849
Utah.....	507, 847
Vermont.....	359, 611
Wyoming.....	225, 565

Puerto Rico, with 3,435 square miles, is larger in area than two of the present States—Rhode Island, with 1,248 square miles, and Delaware, with 2,370 square miles. Nevertheless, I repeat, Puerto Rico is now represented in Congress by only one Resident Commissioner, who has voice but cannot vote even on matters affecting the people whom he represents.

I desire that you bear in mind that Puerto Rico, having not the right to vote in Congress, cannot exercise nearly so great an influence as do the Senators and Representatives of the several States of the Union. While in the old monarchic regime Puerto Rico was represented in the Spanish Parliament by 16 representatives and 3 senators, selected by the privileged classes. These representatives and senators had both voice and vote in the "Cortes" of Madrid.

The parties of our coalition have affirmed—

That the influence of the people of the United States in the destiny of Puerto Rico has been, is, and will be, civilizing, and the extension of the Constitution to Puerto Rico represents a positive guaranty of the public and political liberties convenient and favorable to the enjoyment of the individual rights.

POLITICAL PARTIES

The island's political parties in existence at this time are organized in four groups, as follows:

First. The Union Republican Party of Puerto Rico historically represents a true spirit of Americanization of the island and maintains the fundamental principle of permanent association with the United States within the high democratic ideals of our great Nation of equal rights to all loyal American citizens. This party strongly supports the ideal of the admission of Puerto Rico as a State of the Union, as recently stated in the platform of the National Democratic Party.

The Union Republican Party advocates the adoption by our legislature and by Congress as a well-studied program for the complete rehabilitation of the island, which in cooperation with the national administration will involve the development of all agricultural and industrial resources of Puerto Rico. The total number of votes obtained by this party in November 1932 was 110,793. The president of the Union Republican Party is the president of the Senate of Puerto Rico, Mr. Rafael Martinez Nadal.

Second. The Liberal Party represents in the island the old political traditions and the old privileged school of government. The fundamental principle adopted lately by the Liberal Party in its platform is purely political in character. Only a minority asking for independence and the organization of Puerto Rico as a free republic. They want also that the statehood be granted by Congress at once. The total number of votes obtained in November 1932 by this party was 170,162. The president of the Liberal Party is Senator Antonio R. Barceló.

Third. The Nationalistic Party is radically antagonistic to American institutions and advocates the immediate constitution of Puerto Rico as a free republic with no connection whatsoever with the United States of America. The party obtained only 5,254 votes at the last election. The president of this party is Mr. Pedro Albizu Campos.

Fourth. The Socialist Party of Puerto Rico is a creation of the labor organization represented by the American Federation of Labor and has been struggling for many years for the betterment of the conditions among the working men and women and for the thorough preparation of the masses to exercise their civil rights as granted by the Constitution of the United States and Puerto Rico. Since its organization over 30 years ago as a political party it has also maintained and supported the fundamental principle and aim of our permanent association with the people of the United States of America.

The Socialist Party was never greatly concerned with the immediate need for raising the statehood-independence political issues. It was and is more interested in the island's economic problems. It has been opposed to the continued revival of that issue considering it as a purely political scheme devised chiefly as a means of fomenting discord, fostering anti-American propaganda to enable the secessionists to capture, if they can, the island's government.

The Socialist Party is striving for such form of government as will guarantee equality, liberty, and justice for all citizens, but its fundamental goal is permanent association with the people of the United States.

The total number of votes obtained by this party in November 1932 was 97,433. The acting president of the Socialist Party is vice president of the house of representatives, Mr. Rafael Alonzo.

THE COALITION

Both parties, the Union Republican and the Socialist Parties, having some common ideals, decided to form a coalition, whose main object is the establishment and organization in the island of a government capable of safeguarding the fundamental principles and ideals of a true American democratic and republican form of government in the island

and who may be prepared to undertake the solution of the vital economic problems to bring about the complete rehabilitation of the island.

The coalition of these parties achieved complete victory at the November 8 election of 1932, gaining full control of the Puerto Rico Legislature, which is constituted as follows:

House of Representatives:	
Coalitionists.....	32
Liberals.....	7
Total.....	39
Senate:	
Coalitionists.....	14
Liberals.....	5
Total.....	19

The total votes cast by the four political groups for the Resident Commissioner from Puerto Rico in Washington were as follows:

Coalition:		Votes
Union Republican.....		110,793
Socialist Party.....		97,433
Total.....		208,226
Liberal Party.....		170,162
Nationalist Party.....		5,254

The majority of the coalition for the Resident Commissioner was 38,064 against the Liberal Party.

Puerto Rico, gentlemen, stands today as the first best buyer of American goods in all Latin America. With the exception of Canada, Puerto Rico is America's best overseas market in the new world, and is the eighth best buyer of all European nations and the rest of the world. The fact that Puerto Rico has bought, and is continuing to buy, millions upon millions of dollars' worth of goods from the continental United States is eminently interesting.

In 1931 the United States exported to all the world cotton manufactures to the value of \$3,306,432, while in that same year Puerto Rico alone took \$10,231,984 worth of cotton manufactures.

Plain statistical facts demonstrated that in 1931 Puerto Rico received from continental United States more than three times as much cotton manufactures as the entire rest of the world put together. In 1931 the United States sold to all foreign countries of the globe \$4,719,305 worth of wood and wood manufactures. In that same year, it shipped to Puerto Rico \$1,976,336 worth of the same commodity—in other words, little Puerto Rico.

In 1933 the United States sold to the entire foreign world \$1,534,345 worth of paper and paper manufactures. At the same time, continental United States shipped little Puerto Rico, \$1,242,533 worth of the same commodities. Gentlemen and friends, I request you to look on this great little Puerto Rico as an integral part of our Nation, that you may know more about it, and cultivate more and more the best feelings, extending to the people of the island the benefits of every measure intended to relieve the people, as a State of the Union.

Puerto Rico is American socially, politically, and its trade, its practices, and its industry pile and flourish under the American flag. Puerto Rico is paying indirectly its part to the Nation.

The plain facts of the case are that Puerto Rico has been American territory since 1898. Since 1917 all Puerto Ricans have been American citizens. The island is considered a part of this Nation by reason of the citizenship its people enjoy, the same brand of citizenship as that enjoyed by any New Yorker, Californian, or Utahian, but without the right of proper representation in Congress and in the Union.

PAST AND PRESENT

I want to deal again with the Americanization of Puerto Rico from a general political and administrative point of view. During the autonomous regime granted to Puerto Rico by Spain in 1897, the island had as income for itself the royal tariffs, taxes on personal "cedulas", disembarkment of voyagers, ecclesiastic bills, payments of periodicals, cedulas on privileges, and taxes on raffles and lotteries. The dif-

ferent classes of general taxes and others which were paid to the insular public treasury reached 29 divisions and numerous subdivisions.

The total budget of the Spanish insular autonomous regime reached the sum of \$536,442.19. This total budget of the insular treasury was expended in a great part for soldiers and marines, clergy, construction of and repair of churches, and pensions, up to the sum of \$2,174,879.13. The other expenditures of the Government, such as public education, public works, sanitation, and justice were assigned \$1,361,-963.06.

In those days we spent on public education, from the funds of the State, \$30,000, and the municipalities spent in education through the Paulist Fathers, Jesuits, and Sisters of the Sacred Heart, \$99,255. There were only 22,265 children in the schools throughout the island. The benefit of superior studies was granted to only 55 students every year.

Under our present American regime there are more than 239,000 children in the schools, and they are not restricted from reaching superior grades. Actually more than \$4,900,000 from an insular budget of over \$11,000,000 are assigned for schools and teachers.

Under the first year of our American regime the construction of the first buildings for public schools was ordered. We have already organized an army of 4,991 teachers who teach English and Spanish, and we use at present more than 2,000 buildings constructed for graded and high schools, which are the property of the insular government.

When the old regime was changed for the American regime there were 152.17 miles of constructed roads. Since June 30, 1900, to June 30, 1931, 1,859 kilometers of insular roads have been constructed and also numerous bridges and buildings at a great cost.

Sanitation was organized for the first time in the island during the present regime, and the installation of a modern system of public health service was inaugurated.

The insular government is composed at present of the following employees in the public service, including the Governor, the legislature, and the departments, who receive the following compensation: 6,011 Puerto Rican-American employees, \$6,579,748; and 233 employees continental Americans, \$409,585.75. Of these total employees, over 4,000 are school teachers and over 800 police.

The judiciary system of Puerto Rico has only four continental Americans serving as judges and the attorney general. The police has only three continental Americans and the executive government has at present three, including the Governor. The other continental Americans are mostly teachers, professors, and scientific men.

PUERTO RICO AN ORGANIZED TERRITORY

The following decision with regard to the political status of Puerto Rico was rendered by one of the Assistant Attorney Generals of the United States, in which the opinion is expressed that Puerto Rico is an organized Territory of the United States:

DEPARTMENT OF JUSTICE,
Washington, D. C., February 15, 1934.

MEMORANDUM FOR MR. STANLEY, THE ASSISTANT TO THE ATTORNEY GENERAL

I have had under consideration your request for recommendation on H. R. 7873 (73d Cong., 2d sess.) and reasons in support thereof, particularly concerning the request contained in the letter of SANTIAGO IGLESIAS, Resident Commissioner of Puerto Rico. I take it that the request of the Commissioner goes no further than to consider whether Puerto Rico is such a Territory as is intended to be governed by this act. I will therefore confine my consideration of the matter to that question.

It is to be first noted that the language of the act is broad, general, and comprehensive and without prohibitions or limitations as to any political subdivision of the United States. Section 1 reads:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby declares that the cooperation of the Federal Government with the several States, Territories, and the District of Columbia is necessary to prevent the premature closing of elementary and common schools * * * (Italics ours.)"

Section 2 of the act uses the same term: * * * as will enable the several States, Territories, and the District of Columbia, to maintain their regular school terms * * *

The bill does not exclude any form of political government which might be said to be within the broad and general definition of "State or Territory." If therefore Puerto Rico may be said to be within the meaning of the term "Territories" the act applies to Puerto Rico. It is true that Puerto Rico is not a fully organized territory such as Alaska and Hawaii and has not been incorporated into the Union as a Territory. *Balzac v. People of Puerto Rico* (258 U. S. 298, 305). On the other hand it has been held by the United States Supreme Court to be a completely organized territory.

In a case in which there was involved the question of the right of the Governor of any organized territory to issue requisitions for the return of fugitive criminals the Supreme Court held, *People of New York ex rel. Kopel v. Bingham, Commissioner* (211 U. S. 468):

"Under section 17 of the act of April 12, 1900, c. 191, 31 Stat. 77, 81, the Governor of Puerto Rico has the same power that the Governor of any organized territory has to issue requisitions for the return of fugitive criminals under section 5278, Revised Statutes.

"While subdivision 2, section 2, article IV, Constitution of the United States, refers in terms only to the States, Congress, by the act of February 12, 1793, c. 7, 1 Stat. 302, now section 5278, Revised Statutes, has provided for the demand and surrender of fugitive criminals by Governors of territories as well as of States, and the power to do so is as complete with territories as with States (*Ex parte Reggel* 114 U. S. 642).

"Puerto Rico, although not a territory incorporated into the United States, is a completely organized territory."

In the opinion Mr. Chief Justice Fuller said (p. 476):

"It may be justly asserted that Puerto Rico is a completely organized Territory, although not a Territory incorporated into the United States, and that there is no reason why Puerto Rico should not be held to be such a Territory as is comprised in S. 5278."

Section 5278, Revised Statutes, referred to States in part:

"Whenever the executive authority of any State or Territory demands any person as a fugitive from justice, of the executive authority of any State or Territory to which such person has fled * * *"

We find, therefore, the general term "Territory" used in a statute similar to the one under consideration, has been held to be a Territory within the meaning of the act.

Again in the case of *Gromer v. Standard Dredging Co.* (224 U. S. 362) the Supreme Court said with reference to Puerto Rico and the application of the Foraker Act of April 12, 1900 (p. 370):

"The purpose of the act is to give local self-government, conferring an autonomy similar to that of the States and Territories, reserving to the United States rights to the harbor areas and navigable waters for the purpose of exercising the usual national control and jurisdiction over commerce and navigation."

See also *People of Puerto Rico v. Rosaly y Castillo* (227 U. S. 270).

There must also be taken into consideration the Organic Act of Puerto Rico of April 12, 1900 (31 Stat. 77), known as the "Foraker Act", and the Organic Act of March 2, 1917 (39 Stat. 954), known as the "Jones Act", in which later act this provision appears:

"* * * the statutory laws of the United States not locally inapplicable, except as hereinbefore or hereinafter otherwise provided, shall have the same force and effect in Puerto Rico as in the United States, except the internal-revenue law * * *"

There does not seem to be anything in the act under consideration locally inapplicable and I see no reason why the act may not be as capable of operation in the Territory of Puerto Rico as in any State or Territory.

The same question, under a more doubtful status, was before Attorney General Mitchell with reference to the Agricultural Marketing Act (46 Stat. 11), his opinion with reference thereto appearing in 36 Ops. 326. There the question was specifically as to whether the Agricultural Marketing Act extended to Puerto Rico. The question was more difficult of determination in view of some expressions in the Agricultural Marketing Act which might not unreasonably be construed as limiting the operations of the act to continental United States. However, Attorney General Mitchell had under consideration the statute just referred to as to the applicability of the general laws of the United States where not locally inapplicable, and his opinion therefore appears as a precedent in the Attorney General's Office that under similar expressions Puerto Rico is held to be included within the general term "territory."

The specific question asked by the Commissioner is:

The object of this letter is to ascertain whether under the term "territories", Puerto Rico is included and will benefit by this bill or any other bill where the word "territories" is used.

I therefore answer this question in the affirmative.

Respectfully,

HARRY W. BLAIR,
Assistant Attorney General.

Mr. DUNN of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a memorial address delivered by James Van Zandt, commander in chief of the Veterans of Foreign Wars of the United States.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. RICH. Mr. Speaker, reserving the right to object, it has been customary during this session of Congress to prohibit the printing of newspaper articles and addresses made by those other than Members of Congress or members of the Cabinet in the CONGRESSIONAL RECORD. Because of the fact the Committee on Printing does not want these miscellaneous addresses put into the RECORD, I object.

Mr. WHITE. Mr. Speaker, reserving the right to object, I have heard a good deal from the gentlemen on the other side with reference to printing extraneous matter in the RECORD. We are compiling a great RECORD here in a great crisis, and I think the RECORD we are making now will be one of value for all time.

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

NATIONAL DEFENSE ACT, JUNE 3, 1916

Mr. McSWAIN (when the Committee on Military Affairs was called). Mr. Speaker, I call up the bill (H. R. 5720) to amend the National Defense Act of June 3, 1916, as amended, and ask unanimous consent that this bill may be considered in the House as in Committee of the Whole. I may say this is simply a matter of several amendments regarding the National Guard features of the National Defense Act.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 38 of the National Defense Act of June 3, 1916, as amended, be, and the same is hereby, amended by inserting the following paragraph after the third paragraph thereof:

"To the extent provided for from time to time by appropriations for this specific purpose, the President may order officials of the National Guard of the United States to active duty at any time and for any period: *Provided*, That, except in time of a national emergency expressly declared by Congress, no officer of the National Guard of the United States shall be employed on active duty for more than 15 days in any calendar year without his own consent. When on such active duty, an officer of the National Guard of the United States shall receive the same pay and allowances as an officer of the Regular Army of the same grade and length of active service, and mileage from his home to his first station and from his last station to his home, but shall not be entitled to retirement or retired pay."

With the following committee amendments:

On page 1, line 10, after the word "duty", insert "in an emergency"; and at the end of line 10 strike out "any period" and insert in lieu thereof "the period thereof."

The committee amendments were agreed to.

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent that the word "officials", on page 1, line 9, may be changed to the word "officer."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WADSWORTH. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I desire to ask a question of the Chairman of the Military Affairs Committee in order to get some information. It was quite impossible sitting over here to hear what was going on with respect to the amendment which I imagine has just been adopted in line 10 of the first page. Is a change in the existing law contemplated there?

Mr. McSWAIN. Yes; a slight change in the existing law. It will be remembered there was enacted by an act approved June 15, 1933, a general law relating to the National Guard. Some phraseology therein has been found to be inconvenient in the operation of this matter, and this is to correct those features of the act of June 15, 1933.

Mr. WADSWORTH. Under the existing law the President may order out officials of the National Guard?

Mr. McSWAIN. "Officers." I have just had that changed. There was a typographical error made in printing the bill.

Mr. WADSWORTH. He may order an officer of the National Guard to active duty at any time under existing law?

Mr. McSWAIN. Only in the event of war or in the event of an emergency declared by Congress under existing law. In time of peace he may order an officer of the National Guard to duty only with the officer's consent.

Mr. WADSWORTH. What is the purpose of inserting the words "in an emergency", at this place in the bill?

Mr. McSWAIN. We wanted to include the word "emergency" in addition to the word "war."

Mr. WADSWORTH. This is an expansion of the power rather than a retraction?

Mr. McSWAIN. Exactly.

Mr. WADSWORTH. I was afraid it was a move in the other direction.

Mr. McSWAIN. No. This enlarges the power of the President.

Mr. SAUTHOFF. Will the gentleman yield?

Mr. McSWAIN. I yield to the gentleman from Wisconsin.

Mr. SAUTHOFF. Is not the Governor of a State the commander in chief of the National Guard of his State?

Mr. McSWAIN. Certainly, and until the National Guard is called into Federal service.

Mr. SAUTHOFF. Then is the Governor of each State included as an officer?

Mr. McSWAIN. No. He is the commander in chief of the National Guard under the State constitution, but he is not a member of the National Guard in any State of the United States.

Mr. McFARLANE. Will the gentleman yield?

Mr. McSWAIN. I yield to the gentleman from Texas.

Mr. McFARLANE. What is the reason and necessity for this enlarged power and who requests this?

Mr. McSWAIN. The National Guard Association of the United States.

Mr. McFARLANE. What showing have they made that this is needed?

Mr. McSWAIN. A very extensive, and, I believe, a very satisfactory showing. It has convinced the entire membership of the committee to the effect that this expansion of power is entirely justifiable in order to authorize the President to order out the National Guard in an emergency.

Mr. McFARLANE. In other words, what showing did they make that convinced the gentleman that this is needed?

Mr. McSWAIN. There were a number of witnesses who appeared before our committee. The president of the National Guard Association of the United States, General Keehn, and General Reckford, the legislative representative, and others appeared before our committee and showed the advantages of permitting this power.

Mr. McFARLANE. That is exactly what I am trying to get at.

Mr. McSWAIN. To be perfectly frank, conditions may arise other than war when it would be desirable to use the National Guard, rather than an emergency army called into existence by the President under the general provisions of the National Defense Act.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. McSWAIN. I yield to the gentleman from New York.

Mr. FITZPATRICK. In 1933 they also had that provision in the bill, but it was knocked out at that time for the simple reason they then thought that in case there should be a strike, they could call that an emergency and take the National Guard of one State into another. Could they not do that if this bill should pass just as it is?

Mr. McSWAIN. That would be up to the President of the United States, of course. The President of the United States would be the judge of what is an adequate emergency.

Mr. ZIONCHECK. But this bill does give him that authority.

Mr. McSWAIN. Yes.

Mr. ZIONCHECK. And the emergencies the gentleman refers to are possible strikes.

Mr. McSWAIN. Anything might be an emergency. It might be an earthquake in San Francisco or it might be a flood in the Colorado River or any other sort of emergency.

Mr. MAY. They have the troops now in the flood area of the Colorado.

Mr. McSWAIN. I do not know about that.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. McSWAIN. I yield.

Mr. MOTT. In the event of such an emergency as the gentleman has named, the Governor of the State where the emergency occurred would have the authority, under existing law, to call out the National Guard?

Mr. McSWAIN. He would have that authority; yes.

Mr. MOTT. Then, what would be the object of giving the same authority to the President?

Mr. McSWAIN. It is conceivable that there could be an occasion where the National Guard of one State would not be sufficiently strong in numbers, and it might be desirable to bring in some of the National Guard from a neighboring State to assist in controlling the emergency. The Governor of the State could not order his National Guard troops out of that State. It would be up to the President to call such troops into the active service of the United States for the time being, and then they would be in the pay of the United States.

Mr. MOTT. Would the gentleman mention such a specific case as he may have in mind?

Mr. McSWAIN. I shall do that in connection with one of the other amendments.

[Here the gavel fell.]

The Clerk read as follows:

SEC. 2. That section 58 of said act be, and the same is hereby, amended by adding thereto another paragraph to read as follows: " : And provided further, That in all grades below that of colonel the number in each grade will be limited only by the supply of qualified officers and enlisted men available within the National Guard."

With the following committee amendment:

On page 2, beginning in line 13, after the word " follows ", insert a colon and strike out the remainder of line 13 and all of lines 14, 15, and 16, and insert " And provided further, That in the grades of first lieutenant and second lieutenant the number shall be unlimited."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 3. That section 70 of said act be, and the same is hereby, amended by adding the following paragraph at the end thereof:

" That the oath of enlistment prescribed in this section may be taken before any officer of the National Guard authorized to administer oaths of enlistment in the National Guard of the several States, Territories, and the District of Columbia, by respective laws thereof. All oaths of enlistment heretofore administered by the officers described above are hereby validated."

SEC. 4. That section 77 of said act be, and the same is hereby, amended by striking out all of said section and inserting in lieu thereof the following:

" Elimination and disposition of officers of the National Guard of the United States: The appointments of officers and warrant officers of the National Guard may be terminated or vacated in such manner as the several States, Territories, and the District of Columbia shall provide by law. Whenever the appointment of an officer or warrant officer of the National Guard of a State, Territory, or the District of Columbia has been vacated or terminated or upon reaching the age of 64, the Federal recognition of such officer shall be withdrawn and he shall be discharged from the National Guard of the United States: *Provided*, That under such regulations as the Secretary of War may prescribe, upon termination of service in the active National Guard, an officer of the National Guard of the United States may, if he makes application therefor, transfer to the inactive National Guard and remain in the National Guard of the United States in the same or lower grade. When Federal recognition is withdrawn from any officer or warrant officer of the National Guard of any State, Territory, or the District of Columbia, as provided in section 76 of this act or upon reaching the age of 64 years, he shall thereupon cease to be a member thereof and shall be given a discharge certificate therefrom by the official authorized to appoint such officer."

Sec. 5. That section 81 of said act be, and the same is hereby, amended by striking out, after the words "and shall" in the third sentence of said section, the word "not."

Sec. 6. That section 90 of said act be, and the same is hereby, amended, following the word "Provided", so as to read: "That the caretakers hereby authorized to be employed shall not exceed five for any one organization, except heavier-than-air squadrons, for each of which a maximum of 13 is authorized, who shall be paid by the United States disbursing officer for each State, Territory, and the District of Columbia."

"The compensation paid to caretakers who belong to the National Guard, as herein authorized, shall be in addition to any compensation authorized for members of the National Guard under any of the provisions of the National Defense Act."

"Under such regulations as the Secretary of War shall prescribe, the material, animals, armament, and equipment, or any part thereof, of the National Guard of any State, Territory, or the District of Columbia, or organizations thereof, may be put into a common pool for care, maintenance, and storage; and the employment of caretakers therefor, not to exceed 15 for any one pool, is hereby authorized."

"Caretakers heretofore detailed or employed in pools shall be deemed to have been regularly detailed or employed as such under the law and regulations; and all payments heretofore or hereafter made therefor are hereby validated and authorized."

"Commissioned officers of the National Guard shall not be employed as caretakers, except that one such officer not above the grade of captain for each heavier-than-air squadron may be employed. Either enlisted men or civilians may be employed as caretakers, but if there are as many as two caretakers in any organization, one of them shall be an enlisted man."

"The Secretary of War shall, by regulations, fix the salaries of all caretakers hereby authorized to be employed and shall also designate by whom they shall be employed."

Mr. BOILEAU. Mr. Speaker, I move to strike out the last word.

I would like to ask the chairman of the committee what emergency he believes is imminent that requires this legislation authorizing the President to bring into the service of the Federal Government officers of the National Guard?

Mr. McSWAIN. There is none that the committee contemplates as now in existence. It is only a possible, thinkable situation where the President may, in his discretion, decide that an emergency exists for calling into the active service of the United States these officers; and in this connection I wish to explain to the gentleman from Oregon [Mr. Morri] that this applies only to the officers of the National Guard and not to the rank and file. These officers can be called into service for only 15 days without their consent, and only in the event of an emergency.

Mr. BOILEAU. Is there anything in existing law that permits the President or the Federal Government to call the rank and file or the enlisted men or the ordinary privates of the National Guard into the Federal service?

Mr. McSWAIN. Absolutely nothing as to the rank and file, and up to this time there was nothing to authorize the calling of the officers into such service in an emergency. This is an enlargement of his power in that respect.

Mr. BOILEAU. Do I understand, then, that if this bill were to be enacted into law there would be no authority, either under existing law or under the provisions of this bill, that would permit the President of the United States to call in an entire National Guard unit and bring them from one State into another or have any control whatsoever over the National Guard of the various States?

Mr. McSWAIN. Not until Congress had acted.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. BOILEAU. I yield.

Mr. MOTT. If this bill does not authorize the mobilization by the President of the National Guard, I am at a loss to understand what the purpose of the bill would be in simply mobilizing certain officers of the National Guard. What would the President do through a mobilization of these officers of the National Guard under this bill in case of an emergency such as the bill contemplates?

Mr. McSWAIN. I cannot describe the conditions and the particular emergency that the future may disclose. It is believed that the Reserve officers, trained and experienced and educated men, in an emergency could be of very great value in restoring order, taking care of distress, and being helpful generally in any emergency condition that may be created.

Mr. MOTT. The gentleman means just the officers and not the personnel of the National Guard?

Mr. McSWAIN. That is all the bill proposes to cover.

Mr. MOTT. I am not quite able to see that, but I want to ask the gentleman how he reconciles the report of his committee with the report of the Secretary of War, printed on the second page of the report, in which the Secretary of War says there is no necessity for this bill, and recommends against its passage.

Mr. McSWAIN. The War Department says that the act to which I referred a moment ago, in answer to the inquiry of the gentleman from New York, the act of June 16, 1933, has not been in operation long enough for it to ascertain whether or not these additional provisions are necessary, and therefore it states that for the time being it recommends against this legislation.

After hearing the officers of the National Guard from all over the United States, and a number of adjutants general of States, the committee unanimously reported that now is the proper time to make these amendments. In our judgment we differed from the War Department in that respect.

Mr. MOTT. It seems to me that if all this testimony was given to the committee by the National Guard officers, the Chairman of the Military Affairs Committee ought to be able to tell us exactly what kind of an emergency it is that the bill contemplates and the reason for mobilizing the officers of the National Guard. I would like to support the bill if I had a good reason.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. BOILEAU. Mr. Speaker, I ask unanimous consent for 5 minutes more.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOILEAU. I cannot see any real necessity for the bill, unless it is that the President of the United States could, if he saw fit, call these National Guard officers to act as strikebreakers, and in that way get the highest type of men to act for that purpose, to act in the same capacity as deputy sheriffs in the event of a strike. I do not propose to vote to give the President of the United States authority to take the National Guard officers of Wisconsin and bring them to Pennsylvania to act as strikebreakers. I cannot see any other purpose of the bill.

Mr. HILL of Alabama. Will the gentleman yield?

Mr. BOILEAU. I yield.

Mr. HILL of Alabama. I think I can say to the gentleman that that is not the intent, that the reason for the legislation is as follows: There are some officers in the National Guard, field and staff officers, who have served with troops in different States. Different States have their troops brigaded together, and they have staff officers who must serve with these different troops. The infantry troops of Alabama are brigaded with the infantry troops of Florida. We have staff officers in Alabama who might be needed for some particular purpose in Florida.

Mr. BOILEAU. Then why not have the bill drawn in such a way that the men can be drafted into service for that purpose?

Mr. ZIONCHECK. Will the gentleman yield?

Mr. BOILEAU. I yield.

Mr. ZIONCHECK. Can the gentleman see any reason for this bill unless these officers are to be commandeered, for instance, from the C. C. C. camps, for the purpose of breaking strikes?

Mr. HILL of Alabama. That is in no sense the intent.

Mr. BOILEAU. I can name in my own State hundreds of National Guard officers who would be tickled to death to get on the Federal pay roll because they have no job now. The President might detail hundreds to act as deputy sheriffs, and I do not propose to have the people of my State called to some other State to act in the capacity of deputy sheriffs.

Mr. McSWAIN. Let me assure the gentleman that so far as I recollect the word "strike" was not used in our committee in the hearings before the committee on this bill.

Mr. BOILEAU. I appreciate that fact.

Mr. McSWAIN. And representatives of the gentleman's State, and of practically every State in the Union, citizens, National Guard officers through their organizations and through their adjutants general of the States, have been urging this legislation for the last 2 or 3 years. It seems to us to be entirely harmless.

The SPEAKER. The time of the gentleman from Wisconsin has again expired.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 5 minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. BOILEAU. Mr. Speaker, I appreciate that this fact may not have been brought to the attention of the committee, but the committee is not giving the House much information as to the emergency and necessity for this type of legislation, and that forces those of us who are somewhat suspicious, perhaps, to wonder if there is not something back of it—not in the gentleman's mind but in the minds of those advocating this legislation. I can see very grave danger in the way which I have pointed out, and I think the legislation should at least be amended so as not to permit these officers to be mobilized, to act as strike breakers, or to be mobilized for any other purpose than merely for training, as the gentleman from Alabama [Mr. HILL] has suggested. An amendment of that kind may easily be drawn permitting the President to transfer them from one National Guard unit to another, merely for the purpose of giving them military education or something of that kind, for training in the Military Establishment, but so long as the bill is broad enough to permit the use of these men as strike breakers, we ought to either kill it or amend it.

Mr. ZIONCHECK. Mr. Speaker, will the gentleman yield?

Mr. BOILEAU. Yes.

Mr. ZIONCHECK. If it was the purpose to permit these officers to train among themselves, they would not have used the terminology they have here—

To active duty in an emergency.

An emergency means a strike or labor trouble.

Mr. BOILEAU. I thank the gentleman for his suggestion, because, obviously, under the wording of the bill, in the generally accepted meaning of the word "emergency", they could not do the thing the gentleman from Alabama suggested.

Mr. McSWAIN. I assure the gentleman that there is no such ulterior motive, so far as I am concerned, or so far as the committee is concerned, or any sinister motive in the minds of us as to the use of this power. Will not the gentleman consider an amendment to the bill? We are willing to revert to the section for the consideration of any amendment in order to make the bill agreeable to the thinking Members of the House.

Mr. BOILEAU. Can the gentleman give us any real necessity or urgency for this legislation?

Mr. McSWAIN. No more than when we say "in the event of war" the National Guard may be ordered out by the President of the United States.

Mr. BOILEAU. He can do that under the existing law.

Mr. McSWAIN. Suppose that was the question before the House, as it was at one time about 2 years ago, and suppose we should be asked to say upon what occasions war would be declared, and for what reason? We cannot tell what war will be declared for. We hope that it will never be declared, and we hope there will never be an emergency that would prompt the President of the United States, who represents all the people, to exercise this power, but we think from the showing made by these officers that it would be a desirable power. If the gentleman can offer some suggestion here that will meet with the approval of others we are perfectly willing. This committee wants to lay its cards right down on the table upon everything.

Mr. BOILEAU. I thank the gentleman for his attitude. This matter is all new to me, and I have no amendment prepared.

Mr. ZIONCHECK. The proper amendment would be to strike out section 1. Will the gentleman consent to that?

Mr. McSWAIN. Why not strike out "in an emergency" and not the whole section?

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. BOILEAU. Yes.

Mr. MARCANTONIO. We believe that there is no ulterior motive in the mind of any member of the committee, but at the same time they give us no reason for this type of legislation. When you say that it is the same as an emergency which exists during a war, there you specify the emergency, namely, that the emergency is war. Here you have no specification or definition of the word "emergency", and I repeat that while there is no ulterior motive in the mind of any member of the committee, I am frank to state that the only emergency that I can think of is a labor trouble or a strike, and I believe that whoever sponsors this bill—and I say "whoever" advisedly because I notice the chairman of the committee says that he introduced the bill by request—must have had the only possible emergency in mind, to wit, labor disputes. I am opposed to the use of any branch of the military during a labor struggle.

Mr. FADDIS. Is the gentleman from New York afraid it will be a bunch of Communists?

Mr. MARCANTONIO. Whether the strikers are Communists or not I am not interested. I am not interested in the politics of the strikers. I am interested in the protection of American workers when they strike for a living wage and insist that they should not be forced back to inhuman conditions at the point of the bayonet.

Mr. FADDIS. The gentleman is always up defending Communists.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. BOILEAU. Yes.

Mr. MOTT. I suggest to the chairman of the committee that the discussion here has shown that the bill is not very understandable to most of the Members. The reason for its consideration at this time is quite vague. Does not the gentleman think it would be a good idea to recommit the bill to the committee and have the committee send an amended bill to the House?

The SPEAKER. The time of the gentleman from Wisconsin [Mr. BOILEAU] has again expired.

Mr. BOILEAU. Mr. Speaker, I ask unanimous consent to return to section 1 for the purpose of offering an amendment to strike out section 1.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. COOPER of Tennessee. Will the gentleman yield to me in order that I may propound a unanimous-consent request?

Mr. BOILEAU. I yield to the gentleman.

ANTISMUGGLING ACT

Mr. COOPER of Tennessee. Mr. Speaker, I ask unanimous consent that a privileged status may be given to the bill (H. R. 7980) to protect the revenue of the United States and provide measures for the more effective enforcement of the laws respecting the revenue, to prevent smuggling, to authorize customs-enforcement areas, and for other purposes, which has been unanimously reported by the Ways and Means Committee; and that general debate, to be confined to the bill, may proceed for not to exceed 1 hour, the time to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Ways and Means.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

NATIONAL DEFENSE ACT, JUNE 3, 1916

Mr. BOILEAU. Mr. Speaker, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. BOILEAU: Beginning on page 1, line 3, and ending in line 10 on page 2, strike out all of section 1.

Mr. BOILEAU. Mr. Speaker, I have no desire to debate the amendment further. My views have been expressed.

Mr. ZIONCHECK. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I am not thoroughly familiar with this bill. I have not had time to study it with care, but I do know that the War Department, on page 2 of the report, states that—

No emergency exists or can be foreseen that justifies at this time amendments of the law respecting the National Guard of the United States. It is the view of the War Department that the time during which the law has been in effect is too short to have given its provisions a thorough test. Time and experience alone will determine what provisions need to be changed. For the foregoing reasons the War Department is of the opinion that the amendments proposed in H. R. 5720 are not warranted at this time.

As the gentleman from Wisconsin [Mr. BOILEAU] has stated, the only purpose of this bill is to allow the President of the United States to send the officers of the National Guard from one State into another State in an emergency and that the emergency in the minds of many of us means labor troubles contemplated in the future.

We had a recent experience in the State of Washington during the longshoremen's strike. Many interests in our State appealed to the Governor to call out the National Guard to suppress the strike in Seattle and in Tacoma and in other ports within the State. This he refused to do.

The most serious labor trouble during the strike on the whole Pacific coast was experienced in California. There the Governor of that State called out the National Guard to suppress the strike. As a direct result of this unwarranted interference San Francisco witnessed strife and trouble such as they had never witnessed before, because the unions as a direct reprisal called a general strike. The same result would have come about in the State of Washington had the National Guard been called to interfere. Had this bill been a law during the time of our longshoremen's strike in the State of Washington the President of the United States, were he so disposed, could have ordered the officers of the National Guard of the State of Oregon, or any other State or States, to come into the State of Washington and suppress the strike. I, for one, am opposed to such a grant of power, despite the fact that I am sure our present Chief Executive would never use such a power even though it were granted to him. It is by the passage of bills such as this that we are wittingly or unwittingly laying the foundation for fascism. I, for one, am a firm believer in our democratic form of government and feel that any abuse of democracy can only be cured by more democracy rather than by less of it.

On repeated occasions the Chairman of the Military Affairs Committee, the gentleman from South Carolina [Mr. McSWAIN] has been asked just what emergency the committee had in mind when they were considering this bill. At no time has he made it clear what that emergency might be. If the chairman of the committee cannot explain this emergency, then he fails to explain the need of this legislation or any justification for its enactment. Therefore, I am in favor of the amendment offered by the gentleman from Wisconsin [Mr. BOILEAU] to strike out section 1 in which this unwarranted grant of authority is embodied.

Mr. DUNN of Pennsylvania. Will the gentleman yield?

Mr. ZIONCHECK. I yield.

Mr. DUNN of Pennsylvania. Since that humanitarian act, the N. I. R. A., has been destroyed, it may be necessary to call out troops to keep down labor troubles; nevertheless I am going to vote for the amendment.

Mr. ZIONCHECK. I may say to the gentleman from Pennsylvania that the Supreme Court's action in ruling the N. I. R. A. as unconstitutional will undoubtedly bring about trouble and strife in the industrial field, but such strife and such trouble cannot be intelligently handled by the use of bombs, machine guns, and bayonets.

If our present Constitution does not allow us to pass laws benefiting the laboring man and the farmer, so that they can get a greater share of what they produce, then it is high time

that we amend our Constitution so that human rights will at least be given equal consideration in that great instrument with property rights, which very evidently have been most carefully safeguarded.

Mr. McSWAIN. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, it has been stated that the War Department does not favor this bill at this time. There is no assumption therefore that there is any militaristic motive back of this bill. It is sponsored by the adjutant generals of the States and by the National Guard Association, who represent the civilian soldiers in our national-defense system. I cannot see that there is any danger in this. I was perfectly willing to let it be debated and granted unanimous consent to revert to section 1 in order that an amendment might be offered, so that the membership of the House might say whether or not they could trust our National Guard Associations and the adjutant generals of our States. As far as I am concerned, I trust them almost completely.

Mr. BOILEAU. Will the gentleman yield right there?

Mr. McSWAIN. I yield.

Mr. BOILEAU. There is no man in the United States whom I trust more than the adjutant general of the National Guard of the State of Wisconsin. I know he is honest and sincere and all that. However, that is not the question involved. It is a question of whether or not the President shall have the power to send officers from one State to another State to act in any capacity he might see fit. I think there ought to be some restriction in time of peace. This anticipates action only in time of emergency, and not in the case of war.

Mr. McSWAIN. It is not the President who is asking for this power. It is not the War Department that is asking for it. It is the National Guard Association and the various adjutant generals of the States, civilian soldiers, who ask that the President be given this power. I am satisfied that their motives are patriotic and sincere and unselfish. While they have not undertaken to visualize just what the emergency might be, I cannot believe that the President of the United States would ask that those National Guard officers be called out at any time as strikebreakers or for any such purpose as that.

Mr. BOILEAU. Even though the President of the United States has not asked for this power, in the event of some trouble somebody might urge him or bring pressure to bear upon him to use this power. I do not think the President wants that power. He has not indicated that he does want it, and I do not think he should have it.

Mr. McSWAIN. I can see the considerations back of the gentleman's argument, but at the same time I respectfully ask the House to consider that this committee has considered these matters, sees no danger in it, and is willing to believe that the President and National Guard officers will do what is best for the interests of this Government at all times.

The SPEAKER. The time of the gentleman from South Carolina [Mr. McSWAIN] has expired.

Mr. MARCANTONIO. Mr. Speaker, up to the present moment the discussion has not revealed a single reason showing the necessity for this legislation. Just what is the emergency that requires the enactment of this legislation? Certainly it is not the emergency of war, yet nobody here advances even a theory as to just what is the emergency. I address this question to every member of the committee: What is the emergency for which we are providing?

As for the suggestion of the gentleman from Pennsylvania [Mr. FADDIS] that I am seeking to protect Communists, may I again say to him that I shall always try to protect labor, irrespective of the political belief of the workers involved. Labor has certain rights and I am not going to permit these rights to be destroyed simply because you do not like the politics of any group in the labor organizations. Their politics is their business and not ours. Their right to strike is our business and we should be ever vigilant to protect it. The cry of communism is the old war cry of strike breakers. They charge strikers with being Communists and under

the guise of a false patriotism they smash union headquarters, send strike leaders to jail, and force labor back to work under intolerable conditions. The use of the military in strikes has been too frequent in the past, and the danger of this bill is, as I see it, that the term "emergency" can only too readily be construed to mean a labor dispute, or a labor strike. Unless the members of the committee can define specifically the emergency they have in mind, I submit there is no excuse, reason, or justification for this bill. I have grave fears about it. Wage cuts will soon take place. The narrow definition of interstate given by the Supreme Court in the N. R. A. case will act as a signal to exploiters of labor to increase hours and cut wages. Labor will be forced to strike. Will such a situation be considered an emergency? I believe it may. Why pass such legislation as this, which may permit the fixed bayonets of the military to charge on the American workers, who may soon be out on strike for a decent American living wage?

Mr. CELLER. Mr. Speaker, I move to strike out the last two words.

Mr. Speaker, I do not want to make an extended speech on the subject, but wish merely to read that portion of the report of the committee which contains an excerpt from a letter written by the Secretary of War. The last two paragraphs of this letter read as follows:

No emergency exists nor can any be foreseen that justifies at this time amendments of the law respecting the National Guard of the United States. It is the view of the War Department that the time during which the law has been in effect is too short to have given its provisions a thorough test. Time and experience alone will determine what provisions need to be changed.

For the foregoing reasons the War Department is of the opinion that the amendments proposed in H. R. 5720 are not warranted at this time. It is, therefore, recommended that the bill be not enacted into law.

Mr. Speaker, I think this statement of the attitude of the Secretary of War requires some cogent explanation from the proponents of the bill as to why the bill should pass.

Further, in these parlous times when labor disputes might arise at any moment the militia might be kept well in the background.

Much unnecessary strife, causing irreparable injury to property and great loss of life might well be saved by shelving this bill—I refer to the strife bred of the presence of unnecessary soldiers and militia during labor troubles.

Mr. McSWAIN. Mr. Speaker, I have already stated that we considered the opinions of the War Department; and I think the House will approve the attitude of the committee that we are not bound by the views of the War Department on matters where we differ with them. In this case rather than take their conclusions it was felt we should take the conclusions of the National Guard Association and the adjutant generals of the States that this legislation is timely.

Mr. Speaker, I think we have had sufficient discussion of this amendment; I think we all understand it, and I ask for a vote.

The SPEAKER. The question is on the amendment of the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. BOILEAU and Mr. MARCANTONIO) there were—ayes 34, noes 60.

Mr. ZIONCHECK. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER. Evidently there is not a quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 113, nays 192, not voting 125, as follows:

[Roll No. 83]
YEAS—113

Amle	Celler	Eagle	Gray, Ind.
Ashbrook	Citron	Elcher	Greenway
Ayers	Coffee	Ellenbogen	Grissold
Beiter	Cole, N. Y.	Fitzpatrick	Healey
Biermann	Connerly	Fletcher	Higgins, Mass.
Boileau	Crosser, Ohio	Focht	Hildebrandt
Brown, Ga.	Crowe	Gehrman	Hill, Knute
Brunner	Cullen	Gilchrist	Hill, Samuel B.
Buckler, Minn.	Delaney	Gillette	Hope
Burdick	Dunn, Pa.	Granfield	Hull

Imhoff
Jacobson
Jenckes, Ind.
Johnson, Tex.
Johnson, W. Va.
Kee
Kelly
Kenney
Kloeb
Kniffin
Kopplemann
Kramer
Kvale
Lemke
Lesinski
Lewis, Colo.
Ludlow
Lundeen
McAndrews

McFarlane
McGrath
McGroarty
McKeough
Marcantonio
Martin, Colo.
Massingale
Mead
Meeks
Monaghan
Moran
Mott
Murdock
O'Brien
O'Connell
O'Day
O'Leary
O'Malley
Patterson

Peterson, Fla.
Peterson, Ga.
Pierce
Polk
Quinn
Ramsay
Reilly
Richards
Robison, Ky.
Ryan
Sabath
Sanders, La.
Sauthoff
Schneider
Schulte
Sears
Secrest
Sisson
Smith, Wash.

Smith, W. Va.
Spence
Stack
Stubbs
Sweeney
Thom
Tolan
Truax
Umstead
Wallgren
Welch
White
Withrow
Wood
Young
Zioncheck

NAYS—192

Adair
Allen
Andresen
Andrew, Mass.
Andrews, N. Y.
Arnold
Bacharach
Bacon
Barden
Blackney
Bland
Blanton
Bloom
Bolton
Boylan
Brewster
Buchanan
Buck
Buckbee
Burch
Burnham
Caldwell
Cannon, Mo.
Carter
Cartwright
Cary
Castellow
Cavichchia
Chapman
Church
Claborne
Clark, N. C.
Colden
Cole, Md.
Colmer
Cooley
Cooper, Tenn.
Cox
Cravens
Crosby
Cross, Tex.
Crowther
Culkin
Cummings
Daly
Darden
Deen
Dempsey

Dickstein
Dies
Dingell
Disney
Ditter
Dobbins
Dockweller
Dorsey
Doughton
Doxey
Drewry
Driver
Duffey, Ohio
Duncan
Eaton
Edmiston
Engel
Englebright
Faddis
Farley
Fenerty
Ferguson
Fernandez
Fish
Flannagan
Ford, Calif.
Ford, Miss.
Frey
Fuller
Fulmer
Gasque
Gearhart
Greenwood
Gregory
Guyer
Halleck
Hamlin
Hancock, N. Y.
Harlan
Hart
Hess
Hill, Ala.
Hoeppe
Hollister
Holmes
Huddleston
Johnson, Okla.
Jones

Kahn
Keller
Kerr
Kimball
Kinzer
Kleberg
Knutson
Kocialkowski
Lambeth
Lanham
Larrabee
Lea, Calif.
Lloyd
Lucas
McCormack
McGehee
McLean
McMillan
McReynolds
McSwain
Maas
Maloney
Mansfield
Mapes
Marshall
Martin, Mass.
May
Merritt, Conn.
Merritt, N. Y.
Michener
Millard
Mitchell, Ill.
Mitchell, Tenn.
Montet
Norton
O'Connor
Palmsano
Parks
Parsons
Patman
Patton
Pittenger
Plumley
Powers
Randolph
Rankin
Rayburn
Reed, Ill.

Rich
Robertson
Robinson, Utah
Rogers, Mass.
Rogers, N. H.
Rogers, Okla.
Romjue
Sanders, Tex.
Sandlin
Schaefer
Scrugham
Shanley
Short
Smith, Conn.
Smith, Va.
Snell
Snyder
Sutphin
Tarver
Taylor, Colo.
Taylor, S. C.
Taylor, Tenn.
Terry
Thomason
Thompson
Thurston
Tinkham
Tobey
Treadway
Turner
Turpin
Vinson, Ga.
Vinson, Ky.
Wadsworth
Warren
Weaver
West
Whelchel
Whittington
Wigglesworth
Wilcox
Wilson, La.
Wilson, Pa.
Wolcott
Wolfenden
Wolverton
Woodruff
Woodrum

NOT VOTING—125

Arends
Bankhead
Beam
Bell
Berlin
Blinderup
Boehne
Boland
Brennan
Brooks
Brown, Mich.
Buckley, N. Y.
Bulwinkle
Cannon, Wis.
Carden
Carlson
Carmichael
Carpenter
Casey
Chandler
Christianson
Clark, Idaho
Cochran
Collins
Cooper, Ohio
Corning
Costello
Crawford
Darrow
Dear
DeRouen
Dietrich

Dirksen
Dondero
Doutrich
Driscoll
Duffy, N. Y.
Dunn, Miss.
Eckert
Ekwall
Evans
Fiesinger
Gambrill
Gassaway
Gavagan
Gifford
Gildea
Gingery
Goldsborough
Goodwin
Gray, Pa.
Green
Greever
Gwynne
Haines
Hancock, N. C.
Harter
Hartley
Hennings
Higgins, Conn.
Hobbs
Hoffman
Hook
Houston

Jenkins, Ohio
Kennedy, Md.
Kennedy, N. Y.
Lambertson
Lamneck
Lee, Okla.
Lehlbach
Lewis, Md.
Lord
Luckey
McClellan
McLaughlin
McLeod
Mahon
Mason
Maverick
Miller
Montague
Moritz
Nelson
Nichols
Oliver
O'Neal
Owen
Pearson
Perkins
Pettengill
Peyser
Pfeifer
Rabaut
Ramspeck
Ransley

Reece
Reed, N. Y.
Richardson
Rudd
Russell
Sadovsk
Schuetz
Scott
Seger
Shannon
Sirovich
Somers, N. Y.
South
Starnes
Steagall
Stefan
Stewart
Sullivan
Sumners, Tex.
Taber
Thomas
Tonry
Underwood
Utterback
Walter
Wearin
Werner
Williams
Zimmerman

So the amendment was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. Corning with Mr. Cooper of Ohio.
 Mr. Beam with Mr. Dondero.
 Mr. Maverick with Mr. Goodwin.
 Mr. Cochran with Mr. Taber.
 Mr. Montague with Mr. Ransley.
 Mr. Miller with Mr. Lord.
 Mr. Nelson with Mr. Darrow.
 Mr. Oliver with Mr. Gifford.
 Mr. Ramspeck with Mr. Ekwall.
 Mr. Goldsborough with Mr. Lehibach.
 Mr. Steagall with Mr. Reed of New York.
 Mr. Green with Mr. Stewart.
 Mr. Hancock of North Carolina with Mr. Thomas.
 Mr. Summers of Texas with Mr. Seger.
 Mr. Williams with Mr. McLeod.
 Mr. Sullivan with Mr. Stefan.
 Mr. Kennedy of New York with Mr. Perkins.
 Mr. Underwood with Mr. Jenkins of Ohio.
 Mr. Haines with Mr. Hartley.
 Mr. Flesinger with Mr. Reece.
 Mr. Moritz with Mr. Lambertson.
 Mr. Pettengill with Mr. Hoffman.
 Mr. DeRouen with Mr. Gwynne.
 Mr. Carmichael with Mr. Higgins of Connecticut.
 Mr. Carden with Mr. Crawford.
 Mr. Bulwinkle with Mr. Doutrich.
 Mr. Rudd with Mr. Carlson.
 Mr. Boland with Mr. Arends.
 Mr. Boehne with Mr. Christianson.
 Mr. Bankhead with Mr. Dirksen.
 Mr. Nichols with Mr. Collins.
 Mr. Dietrich with Mr. Pfeifer.
 Mr. Pearson with Mr. Casey.
 Mr. McLaughlin with Mr. Lamneck.
 Mr. Lee of Oklahoma with Mr. Bell.
 Mr. Brooks with Mr. Luckey.
 Mr. Mahon with Mr. Chandler.
 Mr. Owen with Mr. Rabaut.
 Mr. Dear with Mr. Duffy of New York.
 Mr. South with Mr. Berlin.
 Mr. Walter with Mr. Hobbs.
 Mr. Somers of New York with Mr. Richards.
 Mr. Evans with Mr. Costello.
 Mr. O'Neal with Mr. Clark of Idaho.
 Mr. Brennan with Mr. Mason.
 Mr. Lewis of Maryland with Mr. Brown of Michigan.
 Mr. McClellan with Mr. Cannon of Wisconsin.
 Mr. Dunn of Mississippi with Mr. Carpenter.
 Mr. Russell with Mr. Eckert.
 Mr. Gassaway with Mr. Starnes.
 Mr. Zimmerman with Mr. Kennedy of Maryland.
 Mr. Werner with Mr. Hook.
 Mr. Schuetz with Mr. Tonry.
 Mr. Gavagan with Mr. Harter.
 Mr. Scott with Mr. Buckley of New York.
 Mr. Gambrell with Mr. Hennings.
 Mr. Houston with Mr. Utterback.
 Mr. Wearin with Mr. Greever.
 Mr. Gray of Pennsylvania with Mr. Sirovich.
 Mr. Peyser with Mr. Gildea.

Mrs. GREENWAY, Mr. WELCH, Mr. COFFIN, Mrs. JENCKES of Indiana, Mr. O'BRIEN, Mr. MEEKS, Mr. SPENCE, Mr. GRANFIELD, and Mr. BEITER changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The Clerk read as follows:

SEC. 7. That section 111 of said act be, and is hereby, amended by striking out after the words "any or all units and", in the first sentence of said section, the words "the members thereof" and inserting in lieu thereof the word "members."

Mr. DINGELL. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I ask unanimous consent to proceed out of order for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Speaker, at this time I want to report an unfortunate accident to a Member of the House, my colleague from Michigan, Mr. RABAUT, who wants to be recorded as unable to be here for an indefinite period.

Mr. BOLTON. Mr. Speaker, I move to strike out the last two words for the purpose of asking the chairman a question with reference to section 6.

I notice that in line 22, on page 4, it is stated:

Under such regulations as the Secretary of War shall prescribe, the material, animals, armament, and equipment, or any part thereof, of the National Guard of any State, Territory, or the District of Columbia, or organizations thereof, may be put into a common pool for care, maintenance, and storage; and the employment of caretakers therefor, not to exceed 15 for any one pool, is hereby authorized.

I want to ask particularly the reason for this wording, whether it has reference to animals, and whether it was the intention of the War Department to pool animals of Cavalry regiments. I think it would be very undesirable if, for instance, in a State the animals of 8 or 10 troops of cavalry were all pooled and subject only to the care of 15 caretakers.

Mr. McSWAIN. The gentleman will realize that the proposal to pool equipment and armament is, of course, in the nature of economy. The same argument would apply as to the care of animals; provided, of course, the limitation of 15 caretakers should not be so restrictive as to make it impossible properly to care for the animals.

We must assume, if this should become law, the Secretary of War would not make a regulation, which is under his control, as to animals requiring the pooling of more animals in any one particular case than 15 caretakers could care for and oversee.

Mr. BOLTON. I know that in the Appropriations Committee there was considerable discussion as to the number of animals one caretaker could properly handle. I think that subject has been a bone of contention in the guard for several years. We attempted to clarify that by having our appropriations provide, as I recall, 1 caretaker for every 15 animals. However, I remember very distinctly an incident in the State of Ohio where it was attempted to pool the animals of two or three troops of Cavalry and it worked to the detriment of the various units involved.

Mr. McSWAIN. If that showing were made the Secretary of War would not make a regulation, I am sure, which would mean the neglect of the animals. That would be the sense of the House, and I should be glad to join with the gentleman, if that condition arises in his State, in urging the Secretary of War to make no such detrimental regulation.

Mr. BOLTON. I thought that was the intent of the committee, and I wanted that brought out.

Mr. PARKS. Under the provisions of this bill, is the discretion left to the Secretary of War as to whether or not the animals shall be concentrated and more than 15 put under the care of 1 man?

Mr. McSWAIN. It is left to the Secretary of War, under the language of this act, to make such regulation whereby the pooling of material, armament, munitions, animals, and so forth, may be had. There is the proposal here that in no case will the caretakers of any 1 pool exceed 15. That is the proposal here. If there should be such a pool where 15 could not take care of the situation, it would be up to the Secretary of War to modify his regulations and provide for 2 or 3 pools in a State, rather than 1.

Mr. PARKS. He has that discretion and that power?

Mr. McSWAIN. Yes; and I think he will exercise it wisely.

COMMENCEMENT AT SHEPHERD STATE TEACHERS COLLEGE

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a commencement address delivered this morning at Shepherdstown, W. Va., by Harold L. Ickes, Secretary of the Interior.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following commencement address by Hon. Harold L. Ickes, Secretary of the Interior, at Shepherd State Teachers College, Shepherdstown, W. Va., June 5, 1935:

There is one ideal that the teacher should always have before him and that is the ideal of truth. The quality and degree of our civilization is measured by the extent of our devotion to the truth. Our physical well-being, our happiness, the maintenance of our institutions, and the future security and welfare of our children depend upon whether truth or error shall in the end prevail in the age-long struggle upward from the cave man in which we have been engaged. "Seek the truth, and the truth shall make you free," is not merely a striking phrase—it contains within itself the hard kernel of incontrovertible fact.

The teacher is under an especial obligation not only to pursue the truth into its furthestmost lair but, having proved it, to proclaim it. There is one supreme test of the fitness of any man or woman to become a member of what is one of the finest and noblest of all professions, and that test is his devotion to truth. And this devotion must be real. No lip service, pretending to hue to the line of truth, while in fact, indifferent to it; no compromising of the verities of history and nature and life can be regarded as anything less than an act of betrayal. No easier way than that of truth should ever be trod by those entrusted with the greatest of all responsibilities, which is that of training the minds of our youth. No teacher is worthy of his great cause, who if need be, in the service of truth, is not prepared to endure privations and suffer the scornful insults of those who, through ignorance or for some sinister and antisocial purpose, would substitute superstition for knowledge and prejudice for reason.

It is especially important in times of social unrest resulting from economic stress and strain, such as we are passing through at the present time, that the teacher should firmly keep his feet upon the solid rock of truth that has laboriously been hewn out of the superstitions, the errors, the false philosophies, and the deliberate misrepresentations of the past and the present. It is a truism that a democratic form of government is of all others most dependent upon an enlightened public opinion. And there can be no public opinion that is really enlightened that is not based upon a painstaking investigation of past and present social, economic, political, and physical facts. The measure of our success in maintaining and developing a sound and enduring system of popular government will be the measure of our success in qualifying ourselves and our children, by a process of intensified and specialized education, to perform intelligently our grave duties as citizens of the Republic.

The only way to overcome error is to enter truth in the lists against it. Some people have the naive notion that the method to be employed to meet false social, economic, or political doctrines is to shut our eyes and ears to them; ostrich-like, to ignore their existence. This is just as fallacious as the notion that a special loyalty oath, not required of other professions, or of citizens generally, should be exacted of the teacher, thus casting an unjust stigma upon a profession whose self-sacrificing devotion to duty as well as to truth is an example to inspire all the world.

For my part I believe that the American Government is the best that has been evolved by the mind of man. If I were not satisfied that our American political institutions are the most enlightened and the freest in the world, I would join the ranks of those who would forbid the hateful words "fascism" and "communism" even to be spoken in a whisper in our schools; but since I am a firm believer in our American system, I am willing to have it compared critically with fascism or communism, or any other "ism", confident as I am that as the result of such critical comparison we would be even surer than we are that for Americans the American way of life is the ideal way of life. In all our affairs the way to overcome superstition and prejudice and dispel false propaganda is to turn on the light of truth, just as the way to disperse noxious vapors is to expose them to the sunlight.

While we may justifiably be satisfied that our form of government, firmly grounded as it is upon constitutional sanctions, is the best that has yet been developed, it is not required of us that we insist that that system cannot be, and ought not to be, improved. In fact, one of the strong points about our institutions is that it has been recognized from the beginning that they are susceptible of improvement, to effect which the necessary instrumentalities are always at hand. Congress, our State legislatures, and our city councils all have the right to amend or repeal laws in the light of experience, or determined needs. Our Federal and State Constitutions, possessing within themselves, as they do, machinery for revision and change, contain also implications that even those extraordinary instruments may not be infallibly perfect. The Constitution of the United States, since its adoption, has already been changed 21 times, with a twenty-second amendment now making the rounds of the States for ratification. Undoubtedly it will be amended to meet future needs; to give concrete expression to other political and social aspirations of the American people.

So long as social and political changes are brought about by constitutional methods, there need be no fear for the safety and the perpetuity of our American institutions. As I see it, the teacher should be careful not to inculcate the idea that changes, as and when desired by the people, should not be made. On the contrary, they should teach that the American system is particularly superior to other forms of government in that, in an orderly and constitutional way, it provides for changes in our fundamental law, whenever the people believe that they are for the benefit of the country.

The present threat to our American institutions does not rest upon economic or political fallacies that are bred on alien soil. These will evaporate into thin air when exposed to the clear light of truth. The threat, and it is a real one, comes from within. It comes from those influences that would circumscribe, or even deny, those fundamental constitutional guarantees of a free press, free speech, and the right of free assemblage. The attack on these basic liberties is a stroke aimed at the very heart of our American system of government. Deprive us of these rights, and we will have no weapons left in our hands with which to resist the onslaught of error or fallacy, either from abroad or from within our own borders. Leave us these three essential weapons, without which a free democracy cannot hope to exist, and we will be able to resist any attack of poisonous propaganda or insidious doctrine.

Free speech is as vital to the schoolroom as free assemblage is to the people, and as a free press is to the newspapers. These rights are of equal importance. Each is an integral part of the trilogy which guards our liberties. Without them we may be called upon to endure the tragedies which have befallen other peoples who are denied these basic and fundamental rights. Majorities can protect themselves, but minorities must rely on the protection afforded by these three rights. They are the beacons that light the way of progress for us. If one is extinguished the others will languish and die.

That we are in the preliminary stages of profound and significant social changes in this country cannot be doubted by any intelligent student of history or of current events. How long the period of gestation will be, no one can predict, but that the America of the next generation will be profoundly different from that of the present, no one can doubt. Whether the social order of our children will be a better and more desirable social order than that of the present lies largely in your hands, and particularly does it lie in the hands of those of you to whom we shall entrust the teaching of our children. I have no hesitation in saying that the result will depend upon your ability, with clear sight and true hearts, to face the facts of the past and the present, with a high resolve that you will carry on into the future what has been found to be good when tested by truth in the laboratory of experience, and that we will discard what has been proved to be spurious or false or base.

At least one truth has been indelibly burned into our souls as a result of the tragic experience through which we have been passing during these past few years. We now know that no man, however strong he may be, should be permitted to be a law unto himself. We know now there is something more to life than the acquisitions of wealth, the gratification of personal desires. We know now that that man's life will be most truly rich and satisfactory, who, at the end thereof, can look back upon years devoted to the common good, to unselfish and even unrewarded efforts to help to make the world a better and a happier place in which to live.

I believe that we are witnessing the birth throes of a finer and a better social order. You are either going out to help to improve our social order, or to assist, either actively or by acquiescence, in making it a worse one. It will be one or the other. We cannot stand still, even if we would. If you have the courage to smile in the face of disappointment, to overcome difficulties, to look squarely into the sullen eyes of possible adversity, it will be your privilege to help to determine the principles of the new social order that is coming, whether we will it or not, and shape those principles into workable and desirable political formulae.

Yours will be the task to give reality to the vision that all of us are glimpsing today. If we are to build a happier future for our children and our children's children, we must build it together. We must let live if we would ourselves live. We must adopt and adhere to a policy of protecting the weak against the strong; of curbing overreaching and ruthless power; of assuring to all, both weak and strong, that equality of opportunity under the law which we have boasted to be the cornerstone of our American civilization.

Realizing as we do our mutual dependence on each other, knowing that we must all go up or down together, understanding that the happiness of all is the sum of the happiness of each, there are certain goals that we must set up for ourselves to achieve.

Let us strive together to the end that every man and woman and child in this land shall be given an opportunity equal to that of every other man or woman or child to carve out for himself a happier and more worth-while life. Let us see to it that everyone who works does so in wholesome surroundings and receives for that work wages that will provide the necessities of life and something besides for modest pleasures and luxuries. Let us assure to all who work everywhere a legitimate share of leisure to enjoy the American civilization that they are helping to build. It is not enough that any worker in this land of plenty should derive from a life of toil only the bare privilege of staying alive in order to continue to toil.

In the new social order that we intend to build upon the catastrophe through which we are now passing let there be no more child labor. Let us do away with sweatshops. Let us protect our women workers from unreasonably long hours of employment at tasks beyond their strength. Let us be honorable and fair in our business dealings with each other. Let us understand and control our economic system so that it will no longer run wild at intervals, smashing itself upon the rocks and throwing millions of men and women out of work. Let us make it impossible for a handful of acquisitive, predatory men to accumulate disproportionate and antisocial wealth by exploiting less fortunate people in no position to protect themselves. Let us clean up our slum areas, both in the cities and on the countryside. Let us insist upon a just and fair system of taxation, instituted and maintained for the common welfare, the essential feature of which will be the assessment of taxes in proportion to ability to pay. Let us conserve our natural resources, preventing waste and reckless exploitation of our common heritage while at the same time reasonably developing those resources for our legitimate needs.

The new social order calls for even-handed justice, regardless of social standing, business or political prestige, or wealth. It will tolerate no racial or religious prejudice. It envisages the bringing of farm prices into fair relationship with factory prices and aiding in every way possible our stricken farm industry to rehabilitate itself. Under the new social order those men who want work and are able to work will be given work and no one, unless he so wills

it, will be compelled to go hungry or cold. To assure this, there must be established a system of social insurance—old age, disability, unemployment, etc.—thus meeting in the most economical and self-respecting manner an obligation which in any event society must somehow meet.

Particularly must we see to it that opportunities for an education are provided for every child born in the land up to his capacity to absorb and use that education. But education without a highly developed sense of social responsibility would be a tragic failure. We would be better off without an education that is used for selfish ends or hired out to the highest bidder to be used for antisocial purposes. Education is the finest flower of American idealism. It has been to us a second religion. It is the symbol of our hopes for a better life for our children than we have ourselves had, of our dreams of a richer and finer opportunity for all men everywhere under the American flag. We must not permit our precious heritage of intelligence, which the human race has acquired through many weary centuries of struggle, to be restricted or devoted to base ends.

I have enumerated some of the goals toward which we are headed. After doubt and hesitation and grim despair, we are at last moving in the right direction. But I would warn you that it is a long road that we must travel. You members of this graduating class are heirs both to our achievements and to our mistakes. I charge you to make the best use possible of our achievements for the benefit of yourselves and of society. As to our mistakes, we would not have you forget them, grievous and devastating though they have been. We would have you profit by them. Set them up as red traffic lights along the road that I confidently hope your feet will tread in the direction of a social order that, so far as the essential and worth-while things of life are concerned, will be the best social order that the world has ever seen.

But if it is to be the best social order that the world has ever seen, it must be anchored to and guided by the truth. At the beginning of my remarks today I exhorted you to seek the truth because the truth would make you free. I will close with this obligation: Hold on to the truth, and the truth will keep you free.

NATIONAL DEFENSE ACT, JUNE 3, 1916

Mr. MOTT. Mr. Speaker, I move to strike out the last three words.

Mr. Speaker, at the beginning of the debate it was not disclosed what this bill was about, and in spite of the efforts made here on the floor to find out something about it, I contend that its purpose, if it has any, has not yet been disclosed. I doubt very much whether anyone can determine what this bill is for, either by reading the bill or the report.

I stated at one time during the discussion that if any good reason or any necessity could be shown for the enactment of this legislation I would be very glad to vote for it, because I have consistently supported every bill having for its purpose the good of the National Guard. But not only has no good reason been shown, but I believe it must be apparent to every Member here that no serious attempt has been made to advance any reason whatever, through anything that has been said on this floor, why this proposed legislation should become law. The House, obviously, should not pass legislation for which its sponsors either cannot or will not give a reason when the reason for it is demanded from the floor in open debate.

At the conclusion of this debate a motion to recommit the bill will be offered, and I trust very sincerely that Members will realize that legislation should not be considered in this fashion and that they will vote for that motion.

This bill provides that the President, in case of an emergency in peace time, may mobilize the officials of the National Guard and send them on active duty. Why? If there is a reason why the President should do this, why not state it? He may take them from one State and put them on active duty in another State. For what purpose? For active duty in regard to what? In what sort of peace-time emergency—for it is only in such an emergency that the authority is to be exercised—is it contemplated that this may be necessary or proper? When the Chairman of the Military Affairs Committee was asked what peace time emergency was anticipated or contemplated in this connection, he said very frankly he did not know. He suggested merely that some such emergency might conceivably happen. And no one has ever suggested during this debate an emergency which would be even likely to happen and which would warrant the President of the United States in mobilizing the officials of the National Guard—not the Guard itself but only the officials—and sending them into active duty in other States. If the emergency visioned by the sponsors of the bill is so vague

and remote that it cannot even be named, then I submit that there is no justification for legislation to meet it.

It has been stated that the National Guard Association and the Reserve Officers' Association urgently request this bill. If that is so, I have never heard of that fact. I am quite well acquainted with our own Adjutant General and with the commander of the Eighty-second Infantry Brigade in Oregon, and I feel that if this bill were so important to the interests of the National Guard as some gentlemen have rather mysteriously intimated it is, I would have heard something about it from our own National Guard officers by this time. Neither have I any evidence whatever that the Reserve Officers' Association is interested in this proposed change in the law, as has been asserted here. On the other hand, the only testimony before the committee, so far as this report discloses, consists of two letters, one from an official of the Reserve Officers' Association and the other from an official of the National Guard Association. And do either one of these letters constitute, by any stretch of the imagination, an endorsement of this bill? They do not. The contents of these two letters simply indicates there has been a dispute of some sort between the two associations as to the merits of this bill and that they will agree to support it only on condition that certain amendments are made.

On the contrary, however, you have a positive report from the Secretary of War incorporated in the body of the committee report affirmatively recommending against the passage of the bill. Here is what the Secretary of War says:

Careful consideration has been given to the provisions of H. R. 5720, a bill to amend the National Defense Act. This bill, in fact, proposes to amend those provisions of the National Defense Act that appeared in the act of June 15, 1933, known as the "National Guard Act." This act established the National Guard of the United States.

The provisions of this act were subjected to long and exhaustive study in the War Department over a period of years prior to its enactment. Officers of the National Guard contributed their knowledge and practical experience of the problems confronting the National Guard. The bill as introduced was in effect their bill.

The effect of the change in status of the National Guard is to make of it a Federal force, subject to the orders of the President in an emergency declared by the Congress. This new status became effective on April 4, 1934, in accordance with the provisions of a general order published by the War Department on that date. It will be seen, therefore, that the National Guard of the United States has been in existence only 11 months, and the provisions of the act of June 15, 1933, have not had a thorough trial.

No emergency exists nor can any be foreseen that justifies at this time amendments of the law respecting the National Guard of the United States. It is the view of the War Department that the time during which the law has been in effect is too short to have given its provisions a thorough test. Time and experience alone will determine what provisions need to be changed.

For the foregoing reasons the War Department is of the opinion that the amendments proposed in H. R. 5720 are not warranted at this time. It is, therefore, recommended that the bill be not enacted into law.

So, as I stated, no good reason has been shown, and, in fact, no reason whatever has been shown for the enactment of this legislation. On the other hand, you have in the adverse report of the Secretary of War a sufficient and an intelligent reason why it should not be enacted.

May I say in conclusion that this bill has been brought in here in a manner in which I believe no legislation should be submitted to the House. It is so badly drawn it is actually difficult to tell what is meant by the bill. The report does not comply with the Ramseyer rule, and there can be no possible excuse for that. We do not know, from reading the bill, what part of the original law is to be amended unless we get the law and search it, and we do not know exactly what the scope of the amendments are, because the text of the original law is not given in the report, as the Ramseyer rule requires. This legislative body should not undertake to pass a bill unless the committee which reports the bill reports it in compliance with the rules of the House and gives some plausible reason for its passage. For that reason I think the motion to recommit should be adopted. The bill would then go back to the committee. The committee could then send it in properly drafted, together with a report telling us exactly why the committee favors it, what the real purpose of it is, and why the House should pass it. If the committee is not willing to do that, I shall be obliged to vote against the bill on final passage.

Mr. HILL of Alabama. Mr. Speaker, I move to strike out the last four words.

Mr. Speaker, there is nothing mysterious or hidden in this bill. The truth is that with the exception of one provision, which is a provision of little consequence with reference to certain caretakers of National Guard property, all this bill does is to carry out what was the intent of the Congress when the Congress passed the basic National Guard Act of June 16, 1933. This bill comes before the House today on account of the fact that, due to certain interpretations and certain constructions that the Congress did not and could not foresee, the intent of the Congress in passing the original act has been in a few small particulars thwarted.

The reason for section 1, giving to the President of the United States authority in time of emergency to call out a National Guard officer for a period of 15 days, or longer with his consent, is this: Before the passage of the basic National Guard Act of June 16, 1933, National Guard officers were eligible for commissions in the Officers' Reserve Corps of the United States, and practically all of the National Guard officers availed themselves of this privilege and received their Reserve Corps commissions. By a construction of the National Guard Act of June 16, 1933, this privilege has now been taken away from National Guard officers, and that act is construed to mean that National Guard officers can no longer receive commissions in the Officers' Reserve Corps. Section 1 would simply give back to National Guard officers the same right to be called by the President in case of emergency that they had prior to the act of June 16, 1933, when they held Reserve commissions.

Under the law today the President of the United States at any time, whether there be an emergency or not, as the Commander in Chief of the Army of the United States, can call out every Reserve officer in the land for a period of 15 days, and for a longer period with the consent of the Reserve officer.

There are some ninety-thousand-odd active Reserve officers. There are some 18,000 National Guard officers; and, as I have said, all that section 1 will do will be simply to restore to these 18,000 National Guard officers the privilege that they formerly enjoyed before the passage of the act of June 16, 1933, and the privilege that all these ninety-thousand-odd Reserve Corps officers now enjoy.

So why should we haggle or quibble about the right of the President to do what he could do before June 16, 1933, and what he can do with reference to all the 90,000 Reserve officers, and, of course, what he can do with reference to every officer in the Regular Army of the United States?

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. HILL of Alabama. Yes.

Mr. FITZPATRICK. In the 1933 act the word "emergency" was in the original bill and the committee struck it out. Is that not true?

Mr. HILL of Alabama. The word "emergency" is still in the original act insofar as an emergency declared by Congress is concerned.

Mr. FITZPATRICK. That is absolutely true, but it must be by an act of Congress.

Mr. HILL of Alabama. Oh, no. Let us keep in mind the line of distinction, which is very clear. Those words with reference to a declaration of an emergency by Congress apply only where you are to call out your enlisted men and your National Guard, as National Guard units, and not where you are simply calling out individual National Guard officers.

Section 1 of the bill now before us is applicable only to National Guard officers, giving them, as I have tried to make clear, the privilege that they had until the passage of the act of June 16, 1933; a privilege that the Congress did not intend to change or take away from these officers, but which, by construction, has been taken away from them.

Mr. FITZPATRICK. But it was in the original bill passed in 1916, and the committee amended it by striking out the word "emergency."

Mr. HILL of Alabama. No; not as to this provision, which applies only to calling out officers.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. HILL of Alabama. I yield to the gentleman from Oregon.

Mr. MOTT. I did not quite understand what privilege it was that the National Guard officers had prior to 1933 which was taken away from them by that act.

Mr. HILL of Alabama. They had the privilege of holding a commission in the Reserve Officers' Corps, which practically all of them held, and by holding this commission they, like all the Regular Reserve officers, could be called into service by the President of the United States for a 15-day period, or for a longer period with their consent.

Mr. ZIONCHECK. Section 1 does not give them that privilege.

Mr. HILL of Alabama. That is exactly what section 1 does do. This bill does nothing whatever except carry out what was the intent and purpose of this House and the Congress of the United States when it passed the basic act of June 16, 1933.

Mr. ZIONCHECK. Can the gentleman show in section 1 where that power or that privilege is given?

[Here the gavel fell.]

Mr. MOTT. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 2 minutes more.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. ZIONCHECK. I would like to have the gentleman answer my question.

Mr. HILL of Alabama. I shall have to yield first to the gentleman from Oregon [Mr. MOTT].

Mr. MOTT. If I understand the gentleman correctly, according to his explanation—which, by the way, is the first explanation of this bill that has been given on the floor—the purpose of this bill is to give National Guard officers the same opportunity for commissions as the Reserve officers have at the present time.

Mr. HILL of Alabama. For commissions? Oh, no; they hold commissions in the National Guard. This is to give them the same opportunity to be called out by the President that the Reserve officers have today.

Mr. MOTT. Then why could not the bill simply state that?

Mr. HILL of Alabama. It was not the best way to write this particular legislation.

Mr. MOTT. I think if you had written the bill in that way it would be much plainer than it is now.

Mr. HILL of Alabama. The basic act dealt only with the National Guard, and an amendment to the basic act had to deal with the language found in the basic act, and the language of the bill is according to the best and simplest procedure, in view of the language in the basic act.

[Here the gavel fell.]

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that the gentleman may have one additional minute in order that I may ask a question.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ZIONCHECK. In the national basic act was there any similar provision in the event of an emergency?

Mr. HILL of Alabama. In the national basic act there is a provision that in the event of war declared by Congress or a national emergency declared by Congress the President then can call into the Federal service the National Guard, which means the enlisted personnel as well as the officers.

Mr. ZIONCHECK. But under this bill the President can simply declare an emergency and then can call out the officers of the National Guard and put them in any State he wishes.

Mr. HILL of Alabama. Just exactly as he can call out the 90,000 Reserve officers and the 12,000 Regular Army officers.

Mr. ZIONCHECK. And the gentleman feels that he needs these additional 18,000 officers?

Mr. HILL of Alabama. I think, in justice to the National Guard officers, they ought to have the same rights and the same standing that the Reserve officers have, and that is the issue in this bill.

Mr. CONNERY. Mr. Speaker, I rise in opposition to the pro forma amendment. I do not like this section, in spite of the explanation by my good friend from Alabama [Mr. HILL]. I went before the Committee on Military Affairs by the courtesy of the distinguished chairman, in a hearing on a bill that I introduced, asking that the National Guard be not called out in any State of the Union by the Governor of that State in a strike or labor disturbance without the permission of the Secretary of War.

At that time the members of that committee said, "Oh, no; you should not delegate that power to the Secretary of War or the President, you should leave it to the Governors of the States." Now, they come in here with the proposition to leave to the President of the United States the very thing they would not do when I asked them to do it.

In other words, it looks to me as if the situation was like this: That if we have any more strikes or labor disturbances the President can call out the officials of the National Guard, send them to any State he wants to, to help break a strike, as the National Guard has been used for the last few months—driving people back into the mills at the point of the bayonet, when they have been doing nothing except picketing. They put women in a warehouse and kept them for 24 hours. This looks to me like another step in the attempt to break labor strikes and labor disturbances.

Mr. McSWAIN. The gentleman must assume that the Secretary of War would not send out officers of the National Guard or the National Guard equipment in labor troubles unless it was approved by the President of the United States.

Mr. CONNERY. That is right.

Mr. McSWAIN. If that is so, why is the gentleman opposed to putting that authority in the hands of the President of the United States?

Mr. CONNERY. I would like to take away the power to call out the Reserve officers. I believe the Congress of the United States is the only one to decide when the National Guard shall be called out. I do not think the National Guard should be called out except in war time.

Mr. HILL of Alabama. The gentleman knows that a great many Reserve officers are in the C. C. C. camps, and the gentleman would deny the same provision with reference to the National Guard.

Mr. CONNERY. I do not think that any National Guard officer or Reserve officer should be in the C. C. C. camps. I think they could be well served by civilians who need the jobs.

Mr. HILL of Alabama. The gentleman would deny the National Guard officers the same right that the Reserve officers have?

Mr. CONNERY. The gentleman did not hear what I said a few moments ago. I do not think they should try to sneak any more in.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. CONNERY. Yes.

Mr. BOILEAU. The gentleman from Alabama [Mr. HILL] suggests using the National Guard officers in C. C. C. camps. What kind of an emergency is that? This bill provides that the President can call them into duty only in case of an emergency. I cannot conceive, with the strongest imagination, that bringing these men into the C. C. C. camps is bringing them there under an emergency.

Mr. MARCANTONIO. And, as a matter of fact, the C. C. C. camps were never considered or intended to be military camps.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. McSWAIN. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. MARCANTONIO. Mr. Speaker, I offer the following motion to recommit, which I send to the desk.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. MARCANTONIO. Yes; I am.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Motion to recommit by Mr. MARCANTONIO: I move to recommit the bill (H. R. 5720) to the Committee on Military Affairs.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. MARCANTONIO) there were—ayes 34, noes 51.

So the motion to recommit was rejected.

The SPEAKER. The question now is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. CONNERY) there were—ayes 58, noes 42.

Mr. MARCANTONIO. Mr. Speaker, I object to the vote because there is no quorum present, and make the point of order that there is no quorum present.

The SPEAKER. The gentleman from New York makes the point of order that there is no quorum present. Evidently there is no quorum present. The Doorkeeper will close the doors and the Clerk will call the roll. The question is on the passage of the bill.

The question was taken; and there were—yeas 182, nays 119, not voting 137, as follows:

[Roll No. 89]

YEAS—182

Allen	Dobbins	Kocalkowski	Richards
Andresen	Dockweller	Kramer	Robinson, Utah
Andrew, Mass.	Dorsey	Lambeth	Rogers, Mass.
Andrews, N. Y.	Doughton	Lanham	Rogers, N. H.
Arnold	Doxey	Larrabee	Rogers, Okla.
Bacharach	Drewry	Lea, Calif.	Romjue
Bacon	Driver	Lloyd	Ryan
Barden	Duffey, Ohio	Lucas	Sanders, La.
Blackney	Duncan	McCormack	Sandlin
Bland	Eaton	McGehee	Schaefer
Blanton	Edmiston	McGrath	Scrugham
Bloom	Engel	McLean	Shanley
Boiton	Englebright	McMillan	Short
Brooks	Faddis	McReynolds	Smith, Conn.
Brown, Ga.	Farley	McSwain	Snyder
Buchanan	Fenerty	Maas	Sutphin
Buck	Flannagan	Mansfield	Tarver
Buckbee	Focht	Mapes	Taylor, Colo.
Caldwell	Ford, Miss.	Marshall	Taylor, S. C.
Cannon, Mo.	Frey	Martin, Mass.	Terry
Carter	Gasque	May	Thomason
Cary	Gearhart	Merritt, Conn.	Thompson
Castellow	Greenwood	Merritt, N. Y.	Thurston
Cavicchia	Gregory	Michener	Tinkham
Chapman	Haines	Millard	Tobey
Church	Halleck	Mitchell, Ill.	Tolan
Claiborne	Hancock, N. Y.	Mitchell, Tenn.	Turner
Clark, N. C.	Harlan	Montet	Turpin
Coffee	Hart	Norton	Vinson, Ga.
Colden	Harter	O'Connor	Vinson, Ky.
Cole, Md.	Hess	Owen	Wadsworth
Cole, N. Y.	Hill, Ala.	Palmsano	Warren
Colmer	Hill, Samuel B.	Parks	Weaver
Cooley	Hollister	Patman	Werner
Cooper, Tenn.	Holmes	Patton	West
Cox	Huddleston	Peterson, Ga.	Whelchel
Cravens	Jenkins, Ohio	Pettengill	Whittington
Crosby	Johnson, Okla.	Pittenger	Wigglesworth
Cross, Tex.	Johnson, Tex.	Plumley	Willcox
Culkin	Jones	Powers	Wilson, La.
Cummings	Kahn	Quinn	Wilson, Pa.
Darden	Keller	Randolph	Wolverton
Deen	Kimball	Rankin	Woodruff
Dies	Kinzer	Ransley	Woodrum
Dingell	Kleberg	Reece	
Ditter	Knutson	Reed, Ill.	

NAYS—111

Adair	Crosser, Ohio	Gilchrist	Jacobsen
Amle	Crowe	Gillette	Jenckes, Ind.
Ashbrook	Cullen	Granfield	Johnson, W. Va.
Ayers	Delaney	Gray, Ind.	Kee
Beiter	Dickstein	Greenway	Kelly
Biermann	Dunn, Pa.	Greever	Kenney
Boileau	Eagle	Griswold	Kloeb
Boylan	Eicher	Healey	Kniffin
Brewster	Ellenbogen	Higgins, Mass.	Kopplemann
Brunner	Ferguson	Hildebrandt	Kvale
Buckler, Minn.	Fernandez	Hill, Knute	Lemke
Burdick	Fitzpatrick	Hoepfel	Lesinski
Celler	Fletcher	Hook	Lewis, Colo.
Citron	Gassaway	Hull	Ludlow
Connery	Gehrmann	Imhoff	McFarlane

McGroarty	O'Brien	Sanders, Tex.	Sweeney
McKeough	O'Connell	Sauthoff	Taylor, Tenn.
Maloney	O'Day	Schneider	Thom
Marcantonio	O'Leary	Schulte	Truax
Martin, Colo.	O'Malley	Sears	Umstead
Mason	Parsons	Secrest	Wearin
Massingale	Patterson	Sirovich	Welch
Mead	Peterson, Fla.	Sisson	White
Meeks	Pierce	Smith, Wash.	Withrow
Monaghan	Polk	Smith, W. Va.	Wolfenden
Moran	Ramsay	Spence	Wood
Mott	Reilly	Stack	Zioncheck
Murdock	Robison, Ky.	Stubbs	

NOT VOTING—137

Arends	DeRouen	Hope	Richardson
Bankhead	Dietrich	Houston	Robertson
Beam	Dirksen	Kennedy, Md.	Rudd
Bell	Disney	Kennedy, N. Y.	Russell
Berlin	Dondero	Kerr	Sabath
Binderup	Doutrich	Lambertson	Sadowski
Boehne	Driscoll	Lamneck	Schuetz
Boland	Duffy, N. Y.	Lee, Okla.	Scott
Brennan	Dunn, Miss.	Lehlbach	Seger
Brown, Mich.	Eckert	Lewis, Md.	Shannon
Buckley, N. Y.	Ekwall	Lord	Smith, Va.
Bulwinkle	Evans	Luckey	Snell
Burch	Flesinger	Lundeen	Somers, N. Y.
Burnham	Fish	McAndrews	South
Cannon, Wis.	Ford, Calif.	McClellan	Starnes
Carden	Fuller	McLaughlin	Stegall
Carlson	Fulmer	McLeod	Stefan
Carmichael	Gambrill	Mahon	Stewart
Carpenter	Gavagan	Maverick	Sullivan
Cartwright	Gifford	Miller	Sumners, Tex.
Casey	Gildea	Montague	Taber
Chandler	Gingery	Moritz	Thomas
Christianson	Goldsborough	Nelson	Tonry
Clark, Idaho	Goodwin	Nichols	Treadway
Cochran	Gray, Pa.	Oliver	Underwood
Collins	Green	O'Neal	Utterback
Cooper, Ohio	Guyer	Pearson	Wallgren
Corning	Gwynne	Perkins	Walter
Costello	Hamlin	Peyser	Williams
Crawford	Hancock, N. C.	Pfeffer	Wolcott
Crowther	Hartley	Rabaut	Young
Daly	Hennings	Ramspeck	Zimmerman
Darrow	Higgins, Conn.	Rayburn	
Dear	Hobbs	Reed, N. Y.	
Dempsey	Hoffman	Rich	

So the bill was passed.

The Clerk announced the following additional pairs:

Additional general pairs:

Mr. Montague with Mr. Snell.
 Mr. Rayburn with Mr. Treadway.
 Mr. Fuller with Mr. Fish.
 Mr. Flesinger with Mr. Burnham.
 Mr. Smith of Virginia with Mr. Wolcott.
 Mr. Gavagan with Mr. Hartley.
 Mr. McAndrews with Mr. Crowther.
 Mr. Burch with Mr. Guyer.
 Mr. Disney with Mr. Rich.
 Mr. Cartwright with Mr. Hoffman.
 Mr. Robertson with Mr. Hope.
 Mr. Fulmer with Mr. Lundeen.
 Mr. Kerr with Mr. Gray of Pennsylvania.
 Mr. Brennan with Mr. Luckey.
 Mr. Wallgren with Mr. Dempsey.
 Mr. Binderup with Mr. Rabaut.
 Mr. Ford of California with Mr. Greever.
 Mr. Sadowski with Mr. Storms.
 Mr. Secrest with Mr. Driscoll.
 Mr. Young with Mr. Hamlin.

The result of the vote was announced as above recorded.

The doors were opened.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1936

Mr. CANNON of Missouri. Mr. Speaker, I present for printing under the rule a conference report and statement on the bill (H. R. 3973) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District, for the fiscal year ending June 30, 1936, and for other purposes.

NATIONAL LABOR RELATIONS BOARD

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to recommit the bill (S. 1958), to promote equality of bargaining power between employers and employees, to diminish the causes of labor disputes, to create a National Labor Relations Board, and for other purposes, for the purpose of adding certain committee amendments to the bill.

The SPEAKER. Is there objection?

There was no objection.

CALENDAR WEDNESDAY

LONGEVITY PAY

Mr. McSWAIN. Mr. Speaker, I call up the bill (S. 2287), to authorize the crediting of service rendered by personnel (active or retired) subsequently to June 30, 1932, in the computation of their active or retired pay after June 30, 1935, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from South Carolina calls up the bill S. 2287 and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That notwithstanding the suspension during the fiscal years 1933, 1934, and 1935 of the longevity increases provided for in the tenth paragraph of section 1 of the Pay Adjustment Act of 1922, the personnel (active or retired) so affected shall be credited with service rendered subsequently to June 30, 1932, in computing their active or retired pay accruing subsequently to June 30, 1935: *Provided,* That this section shall not be construed as authorizing the payment of back longevity pay for the fiscal years 1933, 1934, and 1935 which would have been paid during such years but for the suspension aforesaid.

Mr. McSWAIN. Mr. Speaker, I yield to the gentleman from New Hampshire [Mr. ROGERS] for a very brief explanation.

Mr. ROGERS of New Hampshire. Mr. Speaker, this bill, S. 2287, was introduced on March 18 of this year by Senator TRAMMELL, of Florida, was reported back to the Senate by the Senate Naval Affairs Committee by Senator WALSH, and passed the Senate on April 15. It was then referred to the House Committee on Military Affairs on April 17 and favorably reported on May 24.

The bill authorizes the crediting of service rendered by personnel—active or retired—subsequent to June 30, 1932, in the computation of their active or retired pay after June 30, 1935.

A similar bill, H. R. 6512, was introduced on March 7 by the gentleman from Georgia [Mr. VINSON] and referred to the House Committee on Naval Affairs. It was favorably reported back to the House by that committee on April 29. An examination of the report which I have filed on this Senate bill will show that it is to correct an injustice; that it has the full approval of the Secretary of War, the President of the United States, the Secretary of the Navy, and the Director of the Budget. No back longevity pay for the fiscal years 1933, 1934, and 1935 is authorized. I trust there will be no objection thereto.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WAR MINERALS RELIEF STATUTE

Mr. COX, from the Committee on Rules, submitted the following privileged report (H. Res. 240, Rept. No. 1108) on the bill (S. 1432) to amend section 5 of the act of March 2, 1919, generally known as the "war minerals relief statute", for printing in the RECORD:

House Resolution 240

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of S. 1432. "A bill to amend section 5 of the act of March 2, 1919, generally known as the 'war minerals relief statute.'" That after general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Mines and Mining, the bill shall be read for amendment, under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit, with or without instructions.

COMPUTATION OF MARINE CORPS SERVICE OF ARMY OFFICERS

Mr. McSWAIN. Mr. Speaker, I call up the bill (S. 2029) to authorize naval and Marine Corps service of Army officers

to be included in computing dates of retirement, and I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That in computing service for the purpose of retirement of an officer of the Army, there shall be included, in addition to service now authorized by law to be included, all service in the Navy or Marine Corps which is authorized by law to be included for the purpose of retirement of an officer of the Navy or Marine Corps.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WAR-TIME RANK TO RETIRED OFFICERS OF THE ARMY, NAVY, AND MARINE CORPS

Mr. McSWAIN. Mr. Speaker, I call up the bill (S. 927) to amend the act entitled "An act to give war-time rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States", approved June 21, 1930, so as to give class B officers of the Army benefits of such act, and I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That section 1 of the act entitled "An act to give war-time rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States", approved June 21, 1930, is amended by striking out the words "except those retired under the provisions of section 24b of the act of June 4, 1920."

Mr. WADSWORTH. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, in reading this bill which would repeal a certain minor provision in the National Defense Act of 1920, one or two thoughts come to my mind, and I am somewhat in doubt as to whether the legislation is wise.

There is a provision in the National Defense Act of 1920 providing for the elimination of officers from the Regular Army who are found to be unfit to remain on the active list. It is contained in section 24 (b). I am not at all certain that the system has worked well, because human nature has come into the picture so often, and influence has been brought to bear so often that the authors of that particular section, I think it can be said, are somewhat disappointed in that it has not rid the commissioned personnel of the Regular Army of a sufficient number of unfit officers. But, in any event, in connection with legislation passed at about that time, which provided that officers of the Regular Army when they came to retire by reason of age or by reason of the 40-year provision or the 30-year provision, could be retired at the highest rank held by them during the World War, the authors of this 24 (b) section put in a provision that that should not apply to officers who, subsequent to the enactment of that retirement legislation, were removed or retired from the active list of the Army for having been inefficient officers. This bill is to take out that little provision and permit officers who have been removed from the active list of the Army on account of their inefficiency to be promoted upon the retired list to the highest rank held by them during the World War.

Now, it is a small matter, I admit, and I believe it involves no expenditure from the Treasury.

Mr. McSWAIN. Not a cent.

Mr. WADSWORTH. It is a question in which there appears to be a little matter of principle. We all know that when we went into the World War officer material was so scarce, especially at the beginning, and tactical commands were organized with such rapidity and reached such large dimensions that it was inevitable that practically every officer in the Regular Army of that day had to be promoted to a higher rank temporarily and for the duration of the war.

Practically every Regular Army officer received a higher rank and served in such capacity during the war itself. When the war was over they reverted to their normal rank in the regular service.

Not all of the men, by any means, who got that higher rank did well with it. Generally speaking, the Regular Army officers put up a splendid performance, but here and there there were men who were not able to carry those higher responsibilities that went with the higher rank, and many of them had to be relieved of command and sent back to S. O. S.

It will be found that before this section 24 (b) went into effect in 1920 they had reverted to their normal rank. Those were the very men who were found inefficient and who had to be removed from the active list of the Army. Now, it is a grave question in my mind whether they should at this time be rewarded by promotion on the retired list. The Congress back in 1920 thought they should not be.

Mr. McFARLANE. Mr. Speaker, will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. McFARLANE. Why would not this bill give them more money if it promotes them on the retired list?

Mr. WADSWORTH. My recollection is that retirement at the advanced rank does not carry with it the retired pay of the advanced rank.

Mr. McFARLANE. Is the gentleman sure about that?

Mr. WADSWORTH. Yes.

Mr. McSWAIN. The present law provides that they shall not be given any advanced retirement pay.

Mr. McFARLANE. Why pass the bill?

Mr. WADSWORTH. It is a decoration, the conferring of an honorary higher rank on the very group of officers who have been determined to be least fit.

Mr. KVALE. Mr. Speaker, I am not going to enter into any controversy with my distinguished colleague from New York. Although he is not a member of the Committee on Military Affairs, he is very familiar with military legislation by reason of his service in the Senate.

Mr. Speaker, while the gentleman's remarks may be well taken as to the class-B legislation, this particular bill affects only 26 officers who were mistakenly included in this group and who are laboring under this class-B stigma even though they did not receive their retirement as a result of misconduct or avoidable habits, or whatever reasons are ascribed for retirement under this section.

The report sets out exactly the 26 individuals who will be benefited by this legislation. Your committee has reported the bill out unanimously. The bill has twice been considered by the Senate and had passed that body.

Mr. McFARLANE. Mr. Speaker, will the gentleman yield?

Mr. KVALE. I yield.

Mr. McFARLANE. Do they all live here in Washington? You know these social battles of Washington are very important.

Mr. KVALE. I do not have any data before me, but I believe only a very limited number live here.

As I say, Mr. Speaker, only 26 individual officers are involved in this matter, and your committee feels they have carried this stigma long enough through no fault on their part. We should now pass this bill and correct the situation.

Let me say also that this bill does not go to the merits of the class-B legislation and it will not harm section 24 (b) in its application.

Mr. Speaker, the War Department originally took an unfavorable view of this bill. Since their original stand they have seen fit to modify their position. In view of the fact it does not cost the Government any money whatever, and in view of the injustice done these 26 officers who are affected, we recommend that the bill be favorably considered. The committee authorized me to make the report, and on the part of the committee I make this plea for the passage of the bill.

Mr. McSWAIN. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF NATIONAL DEFENSE ACT

Mr. McSWAIN. Mr. Speaker, I call up the bill (H. R. 6250) to amend the National Defense Act.

The Clerk read the title of the bill.

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill as follows:

A bill to amend the National Defense Act

Be it enacted, etc., That in order to provide the Army Air Corps with 1,514 officers in grades from colonel to second lieutenant, inclusive, as specified by section 13a of the National Defense Act, as amended by the act of July 2, 1926 (44 Stat. 780), there are hereby authorized, to be appointed and commissioned as second lieutenants in the Air Corps of the Regular Army, from among applicants hereinafter specified, such number as may be necessary to fill up the commissioned strength of the Air Corps by July 1, 1935, or as soon thereafter as possible, to the number above specified; and in order to provide the Regular Army with sufficient commissioned personnel to enable the commissioned strength of the Air Corps to be maintained at the number specified in said section 13a, National Defense Act, as amended, the commissioned strength of the active list of the Regular Army shall, on and after July 1, 1935, be maintained at an aggregate annual average of not less than 12,400 officers: *Provided*, That the appointees as second lieutenants in the Air Corps of the Regular Army above authorized shall be selected, under such regulations as the President may prescribe, from applicants who hold commissions as first or second lieutenants in the Air Corps Reserve and are graduates of the Army Air Corps Training Center.

SEC. 2. The President is hereby authorized to call to active service, with their consent, for a period of not more than 1 year for any one officer, not to exceed at any time 2,000 Reserve officers of the combatant arms and the Chemical Warfare Service, for active duty with the Regular Army: *Provided*, That members of the Officers' Reserve Corps so called to active service shall be distributed as nearly as may be practicable among the said combatant arms and the Chemical Warfare Service in proportion to the commissioned strength of such arms and service, and shall be apportioned in grades therein, so far as possible, as follows: Not to exceed 5 percent in the field grades, 20 percent in the grade of captain, 35 percent in the grade of first lieutenant, and 40 percent in the grade of second lieutenant: *Provided further*, That no Reserve officer shall be called to active service under the provisions of this section who is more than 45 years old at the time of such call: *And provided further*, That nothing herein contained shall affect the number of Reserve officers that may be called to active duty under existing laws, nor the conditions under and purposes for which they may be so called.

Mr. McSWAIN. Mr. Speaker, I offer a committee amendment.

The Clerk read as follows:

Committee amendment to H. R. 6250 to be inserted after line 12, on page 3, and to constitute a new section to be designated as section 3, and to read as follows:

"SEC. 3. That for the period of 10 years beginning July 1, 1936, the Secretary of War is authorized to select annually from all such Reserve officers having received the training herein authorized as may apply for commissions in the Regular Army, 200 officers who shall be commissioned as second lieutenants in the Regular Army, and they shall be arranged on the promotion list in the order of time of their first commissions in the Officers' Reserve Corps, and any whose commissions in the Officers' Reserve Corps bear the same date, then the names of all such shall be arranged on the promotion list in the order of their respective ages, the older first."

The committee amendment was agreed to.

Mr. McSWAIN. Mr. Speaker, I offer a rather informal amendment from the floor.

The Clerk read as follows:

Amendment offered by Mr. McSWAIN: Page 2, line 16, after the word "call", insert the word "annually."

The amendment was agreed to.

Mr. WADSWORTH. Mr. Speaker, I was caught napping. I thought the informal amendment just offered by the gentleman from South Carolina was a part of the committee amendment. I wanted to ask the chairman of the committee a question about the amendment just read by the Clerk.

Mr. McSWAIN. Mr. Speaker, I ask recognition for the purpose of permitting the inquiry of the gentleman from New York.

The SPEAKER. The gentleman from South Carolina is recognized.

Mr. WADSWORTH. Mr. Speaker, as I understand the committee amendment offered by the gentleman from South Carolina, the President is authorized to commission in the Regular Army young Reserve officers at the rate of 200 a year.

Mr. McSWAIN. For 10 years.

Mr. WADSWORTH. For the next 10 years?

Mr. McSWAIN. Yes.

Mr. WADSWORTH. We are about to pass legislation, I hope, which will increase the number of cadets in the Military Academy. My understanding is when that increase is accomplished the Military Academy will graduate annually about 340 second lieutenants into the Army. The amendment offered by the gentleman from South Carolina provides for another 200 annually from the Reserve, which makes a total of 540. I do not remember just now how many men are supposed to be commissioned from the enlisted personnel of the Regular Army or from the enlisted personnel of the National Guard, but the law provides that there shall be a certain number of commissions reserved for enlisted men in the Regular Army and in the National Guard if they are able to pass the examination. Can the gentleman tell us what the annual requirement of the Regular Army is in the matter of second lieutenants?

Mr. McSWAIN. Yes. The annual requirement for the last 10 years has only been around 300.

Mr. WADSWORTH. That is all we need annually?

Mr. McSWAIN. Yes. However, it is believed when we shall have passed the promotion bill which the Senate has passed and now pending before our committee and which we are going to take up for consideration at our next meeting, and hope to report to the House with certain amendments, that the inducements for retirement on the part of officers who are within the hump and who have flopped promotion will be such as to greatly increase the number of vacancies annually caused by voluntary retirements or otherwise. But for that situation there would have been no excuse for increasing the number of cadets in the Military Academy.

I am satisfied all of the representatives of the War Department who appeared before the committee when we were considering the matter of the increase in the matter of cadets at the Military Academy believe it is always desirable that the ratio of trained officers from the Military Academy compared to those received from civil life or from other sources anyway shall approximate the stable ratio of about 50-50. I think it is universally agreed that at the present time the number of graduates from the Military Academy is about 38 percent of the requirements, but the gentleman also knows it is the belief of many of us who have studied the matter that the minimum officer strength of the Army for peace times ought to be 14,000 rather than 12,000. Rather than make up the 2,000 in one leap, thereby creating another hump that will cause trouble in the future, it is proposed to take up the additional 2,000 at the rate of 200 a year and from the source here indicated and not from the Military Academy, from the Regular Army, and from the National Guard, the factors to which the gentleman called attention. Taking into consideration the vacancies caused by ordinary attrition, plus the accelerated attrition due to the promotion act, which I hope we will pass, at the end of 10 years there will be an existing ratio of approximately 50-50 from these two sources.

[Here the gavel fell.]

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent to proceed for an additional 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McFARLANE. Will the gentleman yield?

Mr. McSWAIN. I yield to the gentleman from Texas.

Mr. McFARLANE. When is the gentleman going to bring in here some kind of an officers' selection board bill?

Mr. McSWAIN. Yes. So far as I know, the committee has no bill before it proposing to select officers. Personally I am opposed to that method of promotion. The bill before the House is one that has passed the Senate and calls for ordinary promotion from those on the single promotion list. I do not think there is a likelihood of any such bill coming out. I do not know, however. Sometimes my prognostications as to what would come out have been in error.

Mr. WADSWORTH. Will the gentleman yield?

Mr. McSWAIN. I yield to the gentleman from New York.

Mr. WADSWORTH. May I ask the gentleman if he believes that at the end of the 10-year period provided for in this amendment, the annual needs of the Regular Army will amount to as many as 540 second lieutenants?

Mr. McSWAIN. I am not prepared now to answer that question, I am sorry to say, as to what would be the degree of attrition at the end of 10 years. I doubt if there would be more than 550, because we would be taking in many of these young officers who would not be retiring on account of disability or age.

Mr. WADSWORTH. I do not intend to oppose the amendment. In fact, the amendment has already been adopted. But I venture to express the opinion that the President will never be able to appoint the 200, because there will not be sufficient vacancies.

Mr. McSWAIN. Mr. Speaker, may I acknowledge in this way the debt which the country owes the distinguished gentleman from New York, who was Chairman of the Committee on Military Affairs of the Senate when the National Defense Act of 1920 was enacted? Under the leadership of the gentleman from New York and Brig. Gen. John McAuley Palmer, they wrote a most constructive piece of legislation, for which the country will eternally be grateful.

Mr. ANDREWS of New York. Mr. Speaker, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. ANDREWS of New York: On page 2, line 17, after the word "consent", insert the words "upon application to and selection by the War Department."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RESERVE DIVISION OF THE WAR DEPARTMENT

Mr. McSWAIN. Mr. Speaker, I call up the bill (H. R. 6674) to create the Reserve Division of the War Department, and for other purposes, and ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes", approved June 3, 1916, as amended, be, and the same is hereby, further amended by inserting after section 38 a new section as follows:

"SEC. 39. The Reserve Division of the War Department: There is hereby created the Reserve Division of the War Department. This division shall consist of one Chief of the Reserve Division with the rank of major general, appointed by the President from officers of the Organized Reserves, and six other officers to be assigned to duty in the Reserve Division by the Secretary of War: *Provided*, That at least three of the officers so assigned shall be members of the Officers' Reserve Corps.

"The duties to be performed by the Chief of the Reserve Division shall include general supervision under the Chief of Staff of the administration and development of the Officers' Reserve Corps. In the performance of these duties the existing bureaus, departments, and agencies of the War Department shall be utilized as far as practicable. In coordination with the General Staff, the Chief of the Reserve Division shall be consulted by the Chief of Staff and Secretary of War regarding, and kept informed and advised of, all existing and proposed policies, regulations, plans, and orders affecting the Officers' Reserve Corps and the individual members thereof, and he will make directly to the Chief of Staff recommendations pertaining thereto. He shall at all times maintain contact with the Officers' Reserve Corps, and

through inspections in person or by representatives, shall keep the Chief of Staff and the Secretary of War informed of their state of efficiency and measures for their proper development.

"The Reserve officers on duty in the Reserve Division shall be called to active duty with their own consent for this purpose, and while so serving shall receive the active-duty pay and allowances of their grades as prescribed in the Pay Readjustment Act of June 10, 1922. Appropriations are hereby authorized to be made annually for the contingent and operating expenses of the Reserve Division.

"The Secretary of War is authorized to transfer or assign to the Reserve Division such office space and clerical personnel as in his judgment may be necessary."

With the following committee amendment:

On page 2, line 2, after the word "Reserves", insert "for a term of 4 years."

The committee amendment was agreed to.

Mr. WADSWORTH. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, in reading the committee report, we find the assertion that the new Chief of the Reserve Division of the War Department, who is to be appointed and hold the rank of major general, is to be selected from among the graduates of the General Staff and Command Schools; but I do not find that in the bill.

Mr. McSWAIN. We shall offer an amendment to that effect.

Mr. Speaker, I offer an amendment to the committee amendment which the report shows was agreed to in committee, after the word "Reserves" on page 2, line 2, of the amendment, insert "for a term of 4 years from among the officers who have graduated in the special course of the General Staff and Command School at Fort Leavenworth, Kans."

The Clerk read as follows:

Amendments to the committee amendment offered by Mr. McSWAIN: On page 2, line 2, after the word "Reserves", insert "for a term of 4 years from among the officers who have graduated in the special course of the General Staff and Command School at Fort Leavenworth, Kans."

Mr. WADSWORTH. Mr. Speaker, will the gentleman yield?

Mr. McSWAIN. I yield.

Mr. WADSWORTH. Has the committee given any consideration to the qualifications of such officer with respect to the rank which he now holds? Will any officer of the Reserve Corps be eligible or merely officers holding the rank of lieutenant colonel or colonel?

Mr. McSWAIN. Yes; the committee considered that, but did not see fit to restrict it to colonels. It assumed that those who had graduated in the special course of the General Staff and Command School would have been selected certainly from field officers, because no one but field officers would go to this school.

Mr. WADSWORTH. Undoubtedly that is true.

Mr. McSWAIN. And undoubtedly the President would pick from among the Reserve officers who held the rank of colonel or lieutenant colonel some outstanding officer of ability, education, and leadership; and we did not feel we should restrict it to the rank of colonel, because it might be that at the time the matter was up the officers of that rank might not be so outstanding in ability as some with the rank of lieutenant colonel. We leave this to the President.

The amendment to the committee amendment was agreed to.

The Clerk read as follows:

SEC. 2. That all laws and parts of laws inconsistent with this act are hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARMY AIR CORPS STATION AND FRONTIER AIR-DEFENSE BASES

Mr. McSWAIN. Mr. Speaker, I call up the bill (H. R. 7022) to authorize the selection, construction, installation, and modification of permanent stations and depots for the Army Air Corps, and frontier air-defense bases, generally.

The Clerk read the title of the bill.

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to determine in all strategic areas of the United States, including those of Alaska and our overseas possessions and holdings, the location of such additional permanent Air Corps stations and depots as he deems essential, in connection with the existing Air Corps stations and depots and the enlargement of the same when necessary, for the effective peace-time training of the general headquarters air force and the Air Corps components of our overseas garrisons. In determining the locations of new stations and depots, consideration shall be given to the following regions for the respective purposes indicated: (1) The Atlantic Northeast—to provide for training in cold weather and in fog; (2) the Atlantic Southeast and Caribbean areas—to permit training in long-range operations, especially those incident to reinforcing the Panama Canal; (3) the Southeastern States—to provide a depot essential to the maintenance of the general headquarters air force; (4) the Pacific Northwest—to establish and maintain air communication with Alaska; (5) Alaska—for training under conditions of extreme cold; (6) the Rocky Mountain area—to provide a depot essential to the maintenance of the general headquarters air force, and to afford, in addition, opportunity for training in operations from fields in high altitudes; and (7) such intermediate stations as will provide for transcontinental movements incident to the concentration of the general headquarters air force for maneuvers.

In the selection of sites for new permanent Air Corps stations and depots and in the determination of the existing stations and depots to be enlarged and/or altered, the Secretary of War shall give consideration to the following requirements:

First. The stations shall be suitably located to form the nucleus of the set-up for concentrations of general headquarters air force units in war and to permit, in peace, training and effective planning, by responsible personnel in each strategic area, for the utilization and expansion, in war, of commercial, municipal, and private flying installations.

Second. In each strategic area deemed necessary there shall be provided adequate storage facilities for munitions and other essentials to facilitate effective movements, concentrations, maintenance, and operations of the general headquarters air force in peace and in war.

Third. The stations and depots shall be located with a view to affording the maximum warning against surprise attack by enemy aircraft upon our own aviation and its essential installations, consistent with maintaining, in connection with existing or contemplated additional landing fields, the full power of the general headquarters air force for such close and distant operations over land and sea as may be required in the defense of the continental United States and in the defense and the reinforcement of our overseas possessions and holdings.

Fourth. The number of stations and depots shall be limited to those essential to the foregoing purposes.

Sec. 2. To accomplish the purposes of this act, the Secretary of War is authorized to accept, on behalf of the United States, free of encumbrances and without cost to the United States, the title in fee simple to such lands as he may deem necessary or desirable for new permanent Air Corps stations and depots and/or the extension of or addition to existing Air Corps stations or depots; or, with the written approval of the President, to exchange for such lands existing military reservations or portions thereof; or, if it be found impracticable to secure the necessary lands by either of these methods, to purchase the same by agreement or through condemnation proceedings.

Sec. 3. The Secretary of War is further authorized and directed to construct, install, and equip, or complete the construction, installation, and equipment, inclusive of bombproof protection as required, at each of said stations and depots, such buildings and utilities, technical buildings and utilities, landing fields and mats, and all utilities and appurtenances thereto, ammunition storage, fuel and oil storage and distribution systems therefor, roads, walks, aprons, docks, runways, sewer, water, power, station and aerodrome lighting, telephone and signal communication, and other essentials, including the necessary grading and removal or remodeling of existing structures and installations. He is authorized, also, to direct the necessary transportation of personnel, and purchase, renovation, and transportation of materials, as in his judgment may be required to carry out the purposes of this act.

Sec. 4. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums of money as may be necessary, to be expended under the direction of the Secretary of War for the purposes of this act, including the expenses incident to the necessary surveys, which appropriation shall continue available until expended: *Provided*, That the provisions of section 1136, Revised Statutes (U. S. C., title 10, par. 1339), shall not apply to the construction of the aforesaid stations and depots.

With the following committee amendment:

Page 5, line 3, after the word "act" insert: "The Secretary of War is further authorized to acquire by gift, purchase, lease, or

otherwise, at such locations as may be desirable, such bombing and machine-gun ranges as may be required for the proper practice and training of tactical units."

The committee amendment was agreed to.

Mr. WADSWORTH. Mr. Speaker, I move to strike out the last word. May I direct the attention of the chairman to the language on page 2 of the bill, in order to ask a question. I am not at all in opposition to this measure. I notice that in reciting the different areas in which the air stations are to be erected, in each case a certain type of station or use is set forth. For example, "training under conditions of extreme cold"—"training in operations from fields in high altitudes", and so forth, as if Congress was laying down in advance what the station was to be used for and nothing else. I am wondering if that is the proper way to establish any military undertaking. I suspect somebody is afraid of something.

Mr. McSWAIN. I will answer the gentleman in my feeble way, and then yield to the gentleman from Florida who introduced the bill. The gentleman from Florida who introduced the bill did undertake to lay down certain geographical, and you might say, functional purposes for which these stations would be established. The War Department, through the head of the War Planning Division, in reporting orally on the original Wilcox bill, criticized it for the reason that it did undertake to do practically what the gentleman from New York calls attention to, and he proposed the very language of this bill.

I then introduced the bill in the language of the War Planning Division, and the committee considered the bill and proposed an amendment, which appears on page 5. The gentleman from Florida [Mr. Wilcox], having done so much work in this line and being familiar with it, I suggested the propriety of having him introduce the bill that has been drawn by the Chief of the War Planning Division.

Now, answering more specifically the suggestion of the gentleman from New York, certain purposes and advantages are undertaken to be stated, as, for instance, the cold weather and the warm weather, and so on; but they are not deemed to be exclusive, but only as an argument in favor of particular location; and it does not undertake to say definitely that that is all they shall be used for.

Mr. WADSWORTH. Will the gentleman yield?

Mr. McSWAIN. I yield.

Mr. WADSWORTH. Is not the gentleman afraid of the Comptroller?

Mr. McSWAIN. I hope I am not getting into trouble. I now yield to the gentleman from Florida [Mr. Wilcox].

Mr. WILCOX. Mr. Speaker, the object of the bill is to accomplish two things—to locate bases within certain strategic areas for availability in war time and for the effective peace-time training of general headquarters air force and the Air Corps of our overseas garrisons. The language is not exclusive on the War Department in training at these respective bases.

It is expected that these bases will be equipped for training purposes. The specific character of the training mentioned for each of these bases certainly will not menace the character of general flying to be done there. Special instruction can be given under general training, and it is sought by the bill to train them to operate under extreme cold or under fog conditions or other climatic conditions that may exist.

Mr. WADSWORTH. The gentleman would concede that the Army would do that anyway, would he not?

Mr. WILCOX. I hope so.

The bill now under consideration proposes an authorization for the location and construction of certain bases for the use of the Army Air Corps and for the effective peace-time training of the general headquarters air force within designated strategic areas. The bill designates six areas within each of which a base shall be established for the purposes indicated for each area.

The strategic areas referred to are first, the Atlantic northeast to provide for training of the air forces in cold

weather and in fog; second, the Atlantic southeast and Caribbean areas, to permit training in long-range operations, especially those incident to reinforcement of the Panama Canal; third, the Southeastern States, to provide a depot essential to the maintenance of the general headquarters air force; the Pacific Northwest, to establish and maintain air communication with Alaska; fifth, Alaska, for training under conditions of extreme cold; and sixth, the Rocky Mountain area, to provide a depot essential to the maintenance of the general headquarters air force and to afford in addition opportunity for training in operations from fields in high altitudes.

Before proceeding to any discussion of the necessities which have prompted the introduction and favorable report of this measure, I think it advisable to make certain explanations and to discuss certain principles which have been followed in the preparation and report of this bill.

In the first place, the use of the term "general headquarters air force" has not been fully understood in some circles, and some who have examined the bill have been misled into believing that two or three of the proposed bases are to be designated as the headquarters for the air force. This, of course, is an erroneous impression. The "general headquarters air force" is the title of our air force and that term is used to describe the force rather than to describe the location of the air forces. The object of the bill is to provide bases for the use of the general headquarters air force in the various strategic areas which have been referred to.

I think it also well at the outset to call attention to the fact that these areas have been designated for strategic as well as climatic and other reasons. They have been selected also as affording locations for air fleet bases in areas where no such bases now exist.

I want also to call attention to the fact that no effort has been made in this measure to designate the specific location of any particular base. That responsibility is placed in the bill upon the Secretary of War, who is required to select the location of these bases, having in mind the general purposes of the bill. This was deliberately done to prevent political logrolling or the location of bases for any reason other than strategy and the best interests of the air force and its proper development and training. Probably the most unfortunate thing that could take place in connection with the location of air bases of the character here dealt with would be to undertake the designation of particular locations. This would open the measure up to political logrolling and might result in the location of such bases according to political influence as distinguished from strategic necessity.

In the preparation of this bill two objectives have been sought. First, to provide bases which in peace time will permit the training of Army aviators under every climatic condition which exists in the United States, and, second, to so locate bases along our frontiers as in case of an emergency will afford the greatest measure of defense against an attempted invasion of this country by an enemy air force.

In the accomplishment of the first of these objectives, I think we should not lose sight of the fact that our Army flyers must be able to fly under any and all climatic conditions. It is necessary that they be fully acquainted with the problems incident to flying in tropical and subtropical climates, as well as those which arise from flying under extreme cold and mountain conditions. If our aviators are trained to fly in good weather, they will be at a great disadvantage when called upon to fly in fog, snow, or other adverse conditions. If and when an emergency shall arise, the enemy will not select favorable conditions for the attempted invasion. Neither will he select a field of operations which is best known to our own flyers. It is of the greatest importance, therefore, that our flyers be trained to manipulate their planes in fog, snow, sunshine, and all other climatic conditions that exist in any section of the United States. Bases should also be located in such positions that the aviators, by rotation at proper intervals, can become thoroughly familiar with every portion of the country which they will

be called upon to defend in case of war. They should certainly know their own country better than the enemy could possibly know it. In the preparation of this bill, therefore, we have had constantly in mind the location of bases in such positions that by rotating the air force from one section to another aviators will become thoroughly familiar not only with climatic conditions but with the geography of every nook and corner of the United States.

The second objective contemplated in the preparation of this bill is the location of bases in such positions as to afford a maximum of defense.

With the invention of the airplane a new and deadly force has been added to the engines of destruction available in warfare. Because of its great nobility, the wide range of its activities, the great speed with which it may launch attacks, and the demoralizing effect of such an attack upon the morale of the country attacked, as well as the destructive character of such an attack, it is essential that our country be so prepared as to prevent an enemy attack at its very inception. In order that this may be effectively accomplished, it is essential that we be in position to contact an enemy air force long before it reaches our own borders.

It is now well recognized that in the event of war an enemy undertaking an air attack upon the United States would pursue two methods: First, he would undertake to establish bases of operations in nearby territory from which his aircraft could be operated into the United States and back to his bases of operations; second, he would launch his air force from aircraft carriers in midocean. The only effective means of defense against such an invasion would be the establishment of air bases along our frontiers in such position that our own force could fly out and contact the enemy, break up his concentrations in nearby territory, and destroy aircraft carriers while they are still five hundred or a thousand miles from our shores. It is essential that our defensive air bases be located at the nearest point to the enemy, so that our planes may contact him at the earliest possible moment. If an enemy is approaching over the sea, our air forces should be able to fly out and meet him a thousand miles from shore. Our planes should be able to return to their bases, refuel, and reload and return to the fight as often and as promptly as possible. If the bases are not located along the frontiers but are stationed in the interior, the speed with which our own planes can contact the enemy and the rapidity with which our forces may strike is lessened by the distance that the bases are located in the interior. If the bases are a hundred miles in the interior, then it would mean that our planes must make a 200-mile farther flight than they would make if the bases were nearer or at the frontier. The difference of a hundred miles in the interior would make a 200-mile round-trip flight, which would mean the loss of at least 1 hour for each trip that our planes have to make in returning to their bases to refuel and reload; and the difference of an hour for each return to its bases could very easily mean the difference between victory and defeat. The invention of the airplane has somewhat changed some of the methods of warfare. We will not in any future war be able to defend a particular portion of our territory simply by the erection of breastworks around the territory to be defended. In the war of the future at least the first phase of the war will be fought in and from the air; and in order to successfully defend against an attack from the air it is necessary that our forces be placed greatly in advance of the territory sought to be defended in order that the enemy may be contacted and his air forces destroyed before he can deliver his blow.

I have heretofore referred to the comparatively small area of the United States which may be regarded as the nerve center of the country. I have referred to the fact that within the territory embraced within a line drawn from Boston to Washington to St. Louis to Chicago and back to Boston is only approximately 8 percent of our entire territory, and yet within that area is located approximately half of our entire population, 60 percent of our wealth, and almost three-fourths of our industry. It is easily conceivable that in any war of the future this nerve center of the

country will be the objective to which the enemy will direct his attack. If by a succession of swift blows he can paralyze this nerve center of the country, he could bring our Nation to its knees begging for peace within a comparatively short time.

We will not be able to adequately defend this nerve center, however, simply by the establishment of Army bases within that territory nor by massing our naval forces in the Atlantic to the east of this territory. The enemy would undoubtedly establish bases in nearby territory and would launch his air forces not only from those bases but also from aircraft carriers in mid ocean, and thus be in position to strike at this nerve center without exposing his main forces to the Army or Navy of our own country. In order that this section to which I have referred may be defended against such an attack it will be necessary that bases be established in the Northeast and in the Southeast greatly removed from the territory involved in order that our forces may prevent the approach of the enemy to the area specified.

Another important area in the eastern part of the United States is that portion of the South and Southeast in which is located our deposits of coal, iron, and oil. So far as this section of the country is concerned, I think it safe to assume that any enemy with which we might be at war would undertake to seize the coal and iron deposits of Alabama and the oil of the Southwest. To accomplish this he would undoubtedly send his surface ships into the Gulf of Mexico through the Straits of Florida and the Yucatan Channel and by this maneuver undertake to seize these important and highly necessary commodities. Another point which will require defense is the Panama Canal in order that we may keep commerce constantly moving from the Atlantic to the Pacific and in order that we may insure the free movement of our fleet from one ocean to the other. These two areas may likewise be defended by the establishment of a similar base in the extreme Southeast from which our air forces might operate in the same manner and to the same end that other bases would operate to defend the central section of the country.

Just off the coast of Florida and in the West Indies and the Caribbean area there are literally hundreds of islands, any one of which would make an excellent base of operations for air forces contemplating a raid upon the United States. In the event of war these ready-made bases of operations are right in our front door ready to be seized and occupied by the enemy as bases from which their air forces could be flown into the United States. They are within easy reach of Puerto Rico, the Virgin Islands, and the Panama Canal, and once seized the enemy would be in position not only to destroy the Canal but to operate into continental United States through the Southeast. The establishment of a strong air base in the farthest practical point in the extreme southeastern part of continental United States would put us in position to prevent the occupancy of any of these islands and to prevent the establishment of bases by an enemy air force in that territory. Such a base would, therefore, serve to protect the Panama Canal, Puerto Rico, the Virgin Islands, and the entire southeastern portion of the United States. It would command the entrances to the Gulf of Mexico, and thereby protect our coal, iron, and oil deposits of the Southeast and Southwest, and at the same time it would enable flyers in peace time to become thoroughly familiar with all of the island territory which might be available to an enemy in time of war.

A similar condition exists on the Pacific coast from southern California to Alaska. And while there is not such a great concentration of population and industry on the Pacific side of the United States, that section is equally vulnerable to an attack from the air.

In case of an attack from the West, I think we may safely assume that Alaska would be the prize which any enemy would seek, but we may also safely assume that the same effort to paralyze industry and destroy the morale of the people of the West would be made which I have indicated would be done in the East if the attack should be in that

quarter. The Columbia River Power projects and other great dams and power plants would be sought out for destruction. Fires in the great Northwest woods and other similar destructive tactics could be pursued which would make that area uninhabitable and which would break the morale of the people of that section of the country. Alaska, of course, is a veritable storehouse of minerals and because of its great wealth in natural resources it would be a great prize for any enemy in case of war. The establishment of bases on the Pacific coast and in Alaska as provided for in this measure would prevent air raids or air attacks on the Pacific coast and in Alaska just as has been outlined for the Atlantic coast.

The principal purpose of the bill as already explained is to provide an adequate system of defense for our frontiers, but of necessity there must be certain supporting or reinforcing and supply bases in the interior which would reinforce the frontier bases and from which supplies may be moved up to the respective frontier stations. In addition to these supply bases it will also be essential that certain interior bases be provided to enable the air force to make transcontinental flights and movements from one coast to the other for maneuvers. The bill therefore provides for the establishment of such bases in the Rocky Mountain area and in the southeastern territory.

It is not the purpose of this measure either to supplant existing bases or to duplicate facilities already existing. The object of the bill is to provide bases in those sections where facilities do not now exist. For that reason no reference has been made in the bill to the areas in which bases have already been established. For example, there is no reference made to the middle Atlantic area, for the reason that we already have bases established at Langley Field, in Virginia; at Bolling Field, at Washington; and at other points along the middle Atlantic seaboard. No provision is made for additional supply bases for this area, because we already have at Wright Field, in Ohio, and other spots in this territory, existing bases which may serve for this purpose. It is not intended, of course, to limit any existing base to its present facilities nor to prevent enlargement or extension of such existing bases. But, as already stated, the purpose of the measure is to provide for those areas in which no adequate facilities now exist.

I want to again stress the point which was mentioned in the beginning, and that is that this measure is a non-political, nonsectional measure, designed to provide the United States with an adequate system of frontier defense bases, without regard to politics, political influence, or other considerations except the necessities of our country. It has been deliberately designed to prevent logrolling and is in no sense a pork-barrel measure. The Secretary of War is charged with the duty and responsibility of selecting sites for the location of these bases and to select those sites which are best adapted to the purposes contemplated in the measure. Every community within the respective areas specified will have an even break. There has been no attempt to prejudge the location of any of the bases, and the Secretary of War is given a free hand to select the sites according to the best strategy required for the adequate defense of the Nation.

The establishment of permanent Army air bases is a purely defensive measure. Great strides have been made in the perfection of aircraft in recent years, but it has not yet reached the point where it can sustain itself in the air for any great period of time. Airplanes must return to their bases at frequent intervals. For this reason, airplanes operating from permanent land bases within the United States are in a different category from planes operating from aircraft carriers which are capable of moving for great distances out to sea and from which attacks might be launched upon other countries. Air forces stationed at land bases within the United States are strictly limited to defensive operations. They may fly out a thousand miles from shore to contact the enemy and destroy his aircraft, but they cannot be used for extremely long-range operations for the reason that they must return frequently to their bases for refueling. This

measure, therefore, is one strictly of national defense. But since bases from which aircraft may operate constitute an absolute essential to the successful operation of air forces, they are just as essential as the airplanes themselves. Planes are of no value unless adequate bases from which they may operate are provided. The establishment of these bases, therefore, is a matter of the most vital and extreme importance to the safety, welfare, and well-being of our country.

Our country is at peace with the world. We have no quarrel with any nation on the face of the earth. We want none of their territory, and we covet none of their gold. We are content to pursue the even tenor of our own way and permit every other nation on earth to do the same thing. No nation under the sun has any cause to fear the United States; but, for my part, I want to see this Nation in such a position that, regardless of what may happen in world affairs or in world politics, we shall have no cause to fear any other nation. I am not concerned with means for conducting offensive warfare, but I do want to see established along the frontiers of continental United States a system of air bases so located, so equipped, and so manned with trained personnel that no other nation may be able to conduct an offensive warfare against us.

We have always pursued a policy of unpreparedness, secure in the thought that since we are at peace with the world and since we have no quarrel with any other nation, we are safe from the disasters which result from war. The fallacy of this position, however, was demonstrated in the World War. The development of commerce and our own participation in world affairs has somewhat destroyed our isolation which we previously enjoyed and the development of the airplane and the other means of rapid transportation and communication now makes it necessary that we prepare ourselves in times of peace, not for the conduct of war but for the prevention of war by being in such position as to adequately defend our own territory.

I am convinced that had we been adequately prepared in 1917 we would never have been drawn into the World War. I am equally convinced that if in the future we are so equipped as to hold our own in case of war we shall never be drawn into another war. Reasonable preparation is therefore the greatest insurance policy against war. And since the airplane has added this new, swift, and deadly means of destruction, I believe that no adequate system of defense can be complete without taking this machine into account. This measure will provide the bases from which these machines may operate in defense of our country. It is vital to the future welfare, safety, and security of our country and its institutions and I therefore respectfully urge its passage.

Mr. McSWAIN. Mr. Speaker, I ask for a vote.

Mr. ROGERS of New Hampshire. Mr. Speaker, I move to strike out the last word to say in answer to a suggestion made, that the whole explanation is furnished in lines 2 and 3, on page 2. It simply provides that consideration shall be given to these matters. Nothing definite is fixed.

Mr. McSWAIN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read a third time and passed, and a motion to reconsider laid on the table.

APPOMATTOX COURT HOUSE NATIONAL HISTORICAL PARK

Mr. McSWAIN. Mr. Speaker, I call up the bill (H. R. 4507) to amend sections 1, 2, and 3 of the act entitled "An act to provide for the commemoration of the termination of the War Between the States at Appomattox Court House, Va.", approved June 18, 1930, and to establish the Appomattox Court House National Historical Park, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from South Carolina calls up the bill H. R. 4507, and asks unanimous consent to consider it in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That sections 1, 2, and 3 of the act entitled "An act to provide for the commemoration of the termination of the War Between the States at Appomattox Court House, Va.", approved June 18, 1930, are hereby amended to read as follows:

"That within title to all the land, structures, and other property within a distance of 5 miles from the Appomattox Court House site, Virginia, as shall be designated by the Secretary of the Interior in the exercise of his discretion as necessary or desirable for national-park purposes, shall have been vested in the United States in fee simple, such area or areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and enjoyment of the people and shall be known as the 'Appomattox Court House National Park'.

"Sec. 2. That there is hereby authorized to be appropriated the sum of \$100,000, or so much thereof as may be necessary, to carry out the provisions of section 1 of this act as amended hereby.

"Sec. 3. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land and/or buildings, structures, etc., within the boundaries of said park as determined and fixed hereunder and donations of funds for the purchase and/or maintenance thereof: *Provided*, That he may acquire on behalf of the United States, by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the act of August 1, 1888, such tracts of land within the said park as may be necessary for the completion thereof."

Sec. 4. The administration, protection, and development of the aforesaid national historical park shall be exercised under the direction of the Secretary of the Interior by the Office of National Parks, Buildings, and Reservations, subject to the provisions of the act of August 25, 1916, entitled "An act to establish a National Park Service, and for other purposes", as amended.

Mr. DREWRY. Mr. Speaker, this bill is an amendment to a bill passed in 1930 to provide that the memorial established at Appomattox should be a memorial park instead of a memorial monument.

Mr. McFARLANE. Does it cost the Government anything?

Mr. DREWRY. No. The authorization has already been made in the act of 1930. I have an amendment I shall offer to section 4 providing that the administration shall be under the direction of the National Park Service. Section 4 provides that the administration shall be under the direction of the Office of National Parks, Buildings, and Reservations. No such bureau exists at the present time, and my amendment is to change that. I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. DREWRY: Page 3, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"Sec. 2. Such act of June 18, 1930, is amended by adding at the end thereof a new section to read as follows:

"Sec. 4. The administration, protection, and development of the Appomattox Court House National Historical Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1906, entitled "An act to establish a National Park Service, and for other purposes", as amended."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

GENERAL JOHN J. PERSHING NATIONAL MILITARY PARK

Mr. McSWAIN. Mr. Speaker, I call up the bill (H. R. 3272) providing for the establishment of the Gen. John J. Pershing National Military Park near Laclede, in Linn County, Mo., and ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from South Carolina calls up the bill H. R. 3272, and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in order to memorialize the heroism, outstanding military accomplishments, and distinguished public services of Gen. John J. Pershing, commander of the American military forces in the World War, the Secretary of War is hereby authorized and directed to locate and establish a national military park near Laclede, Linn County, Mo., the birthplace of General

Pershing, to be known as the "General John J. Pershing National Military Park" whenever title to same shall have been acquired by the United States.

With the following committee amendment:

Page 1, line 7, strike out the words "and directed."

The amendment was agreed to.

The Clerk read as follows:

SEC. 2. In order to establish said General John J. Pershing National Military Park the Secretary of War is hereby authorized to acquire by purchase, condemnation, or otherwise, at a cost not to exceed \$250,000, which sum is hereby authorized to be appropriated for the acquisition, landscaping, and beautification of said park, such land near Laclede, Linn County, Mo., the birthplace of General Pershing, as shall be suitable for the memorial objects of this act, the Secretary of War being hereby vested with authority to determine the area and exact location of said park, and the amount that shall be expended for the acquisition and landscaping of said park, in no event to exceed the sum herein authorized to be appropriated.

With the following committee amendment:

Page 2, line 5, strike out the words "and directed."

The amendment was agreed to.

Mr. McFARLANE. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. McFARLANE: Page 2, line 6, after the word "exceed", strike out "\$250,000" and insert "\$25,000."

Mr. ROMJUE. Mr. Speaker, will the gentleman withhold his amendment for a moment until I can make a statement?

Mr. McFARLANE. Mr. Speaker, I withhold my amendment pending a statement by the gentleman from Missouri.

The SPEAKER. The gentleman from Texas withdraws his amendment temporarily.

Mr. ROMJUE. Mr. Speaker, I move to strike out the last word.

I wish to make a statement of the facts in connection with this matter.

At the time the bill was introduced the State of Missouri had taken no action in regard to the matter, and had made no appropriation and the bill was introduced in its present form. At the time the committee made a favorable report of this bill the State of Missouri had not had an opportunity to make any contribution and, of course, the bill was drawn at that time on the theory that whatever appropriation was authorized should be in accordance with what the bill states. Since that time the Legislature of the State of Missouri has been in session and has appropriated out of the funds of the State of Missouri sufficient money to buy the land for the needs of the park, so there will be no charge on the Federal Government whatever for the purchase of the park site.

Mr. McFARLANE. Will the gentleman yield for a question?

Mr. ROMJUE. In just a moment I will yield, after I have more nearly completed a statement. This bill is intended for the purpose of maintaining the park improving the site and authorize utilizing the premises within the scope of the provisions of the bill after it is acquired. I would be perfectly willing to have the amount reduced from that contained in the original bill, in regard to the expenditure to some reasonable amount but not to the point proposed by the gentleman from Texas. Aside from that, the provision in the bill does not direct the expenditure of a single dollar. It only authorizes the War Department to make a survey and then expend such amount of money as it thinks advisable. As I said a moment ago, since the State of Missouri has appropriated a sum sufficient to purchase all the land, it will only be limited to maintaining the park after the State of Missouri has paid for it, and doing such work as is necessary in cleaning it up and preparing it, doing those things along the line of public-works programs throughout the country and in keeping with the language of the bill.

Mr. McFARLANE. Will the gentleman yield now?

Mr. ROMJUE. I yield.

Mr. McFARLANE. How much money does the gentleman estimate it will be necessary to appropriate at this time

to take care of expenses such as the gentleman has mentioned?

Mr. ROMJUE. Of course, it would run over a period of some years.

Mr. McFARLANE. But we take care of all other appropriations each year.

Mr. ROMJUE. I have no objection to reducing this amount somewhat.

Mr. McFARLANE. Reducing it to \$5,000?

Mr. ROMJUE. Oh, no. That would not be sufficient.

Mr. McFARLANE. How much would be sufficient?

Mr. ROMJUE. By the time the park is fenced and it is cleared up and some monuments erected, I think there ought to be about \$100,000. The department does not need to use all that. Of course, I am not experienced in the park business, and the bill does not call for a positive expenditure of a specific amount.

Mr. McFARLANE. How large a park is it?

Mr. ROMJUE. The size has not been set yet. Possibly it may be 1,000 acres or 1,200 acres. That is left to the discretion of the department in selecting it. However, the land contained in the park will be paid for out of the funds furnished by the State. I hope the balance of the States will be willing to come in and contribute to the upkeep and beautifying of it after Missouri has paid for it.

Mr. ANDREWS of New York. Will the gentleman yield?

Mr. ROMJUE. I yield.

Mr. ANDREWS of New York. I am wondering if the gentleman would be willing to have the Federal Government appropriate the same amount of money as was appropriated by the State of Missouri?

Mr. ROMJUE. I think it ought to be more than that, to be frank with the gentleman. Of course, if it was not sufficient we might have to come back again for park contribution purposes like other similar parks.

Mr. ANDREWS of New York. As I understand, the State of Missouri appropriated \$40,000?

Mr. ROMJUE. Yes. The State of Missouri appropriated \$40,000. That will buy all the land. Now, there will have to be some monument erecting, and the land will have to be cleared. The main question that was considered heretofore was acquiring the park. Missouri has stepped in and arranged to do that. Certainly I think the other States would be glad to contribute their portion to the upkeep of it after we have acquired it.

Mr. KENNEY. Will the gentleman yield?

Mr. ROMJUE. I yield.

Mr. KENNEY. In some parts of the country many fraternal and benevolent organizations have gone into public parks like this and erected monuments for the purpose for which the park was erected. I notice that in the gentleman's bill that privilege is not accorded. I wonder if the gentleman would have any objection to putting that in? Of course, any such condition would have to be approved by the Secretary of War, under the provisions of the bill.

Mr. ROMJUE. I have no objection to that.

The SPEAKER. The time of the gentleman from Missouri [Mr. ROMJUE] has expired.

Mr. McFARLANE. Mr. Speaker, I have an amendment at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. McFARLANE: Page 2, line 6, strike out "\$250,000" and insert "\$25,000."

Mr. McFARLANE. Mr. Speaker, we have too many ciphers in this bill. My amendment strikes out the last cipher and reduces this appropriation from \$250,000 to \$25,000.

Since the State of Missouri has purchased the park site and has gone to the expense of purchasing a memorial park since this bill was reported out of committee, I see no reason why we ought to tempt the gentlemen down in the War Department to spend \$250,000. I think \$25,000 would certainly be ample to take care of the situation. The only expense that they will necessarily incur will be the fencing of the park and some expenses incidental thereto.

The maintenance of the park in the future, of course, will be under the National Park Service and will be taken care of

through regular appropriations. I see no reason, therefore, why we should authorize the appropriation of such a large sum of money for this purpose since all of the park property has been purchased by the State of Missouri.

Mr. Speaker, I think my amendment should be adopted.

Mr. COLDEN. Mr. Speaker, will the gentleman yield?

Mr. McFARLANE. I yield.

Mr. COLDEN. This acreage now comprises farm lands, does it not, and requires the removal of fences, buildings, and a good deal of work generally in order to fit it for park purposes.

Mr. McFARLANE. Yes.

Mr. ROMJUE. Would not \$25,000 be a rather small amount to put 1,200 acres in shape to be used as a park?

Mr. McFARLANE. I think that amount of money would be ample. No doubt the removal of fences and cleaning up of property will be done by C. C. C. boys and the only necessary outlay will be the actual purchase of whatever material is necessary for the construction of fences upon the park site.

Mr. COLDEN. Does this plan contemplate a monument to General Pershing?

Mr. McFARLANE. The Government already furnishes monuments for its soldiers, and I see no reason why the General ought to have one different from the boys in the ranks to whom he did not want to pay their adjusted-service certificates. We already furnish headstones to soldiers, and I say that his should be the same size as the rest. He is drawing retired pay now of over \$20,000 a year. He was one of the officers of the National Economy League and helped them fight their battles against the soldiers in the ranks. It is very pertinent to inquire why they do not oppose such needless expenditure. These Treasury-raiding robbers such as the National Economy League do not oppose the \$4,000,000 bills, tax refund, and similar bills for the benefit of the rich, but always come around and fight the bills for the benefit of the rank and file of the soldiers. I think they ought to provide for this memorial. I do not think they ought to allow the Government to contribute any such amount. If they want a monument they ought to build it themselves. It seems to me that \$25,000 is enough for the Federal Government to spend on this project, and I hope my amendment will be adopted.

Mr. ROMJUE. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, I want to call the attention of the House to the fact that because a certain sum may be authorized is no indication that it will all be expended; it may be so far as needed to meet the objects intended to be accomplished.

I have no objection to a reasonable reduction of the authorization, and in view of the fact Missouri is putting up forty thousand of the fund, realize not so much as in the original bill will be required.

Answering the gentleman from Texas, may I say that the American Legion posts throughout the country have endorsed this bill. The bill has been endorsed by nearly every State in the Union many times by State legislatures. In fact, the legislature of the gentleman's own State, Texas, has endorsed this project. The American Legion of his own State has endorsed the project.

The American Legion of nearly every State of the Union has recommended and endorsed this memorial park; and \$25,000 means nothing under the circumstances of the case, because the State of Missouri is already purchasing the site. Twenty-five thousand dollars would be about \$500 per State, and I certainly think each of the other 47 States of the Union would be willing to contribute \$500 at least for this park. As I said a moment ago, not only has the American Legion endorsed this, but the American Legion is acting along the line one gentleman suggested a moment ago. Fraternal organizations are making contributions for the erection of monuments.

Mr. Speaker, I hope the gentleman's amendment will be voted down.

The gentleman's amendment proposes to reduce the Government contribution to \$25,000; that would be inadequate

under the circumstances, considering the achievements of General Pershing and the many valiant soldiers who followed him in the great World War.

I am sure many Members of this House and the public in general will be glad to have their own State aid in a reasonable contribution in assisting in this worthy proposal.

Mr. ANDREWS of New York. Mr. Speaker, I offer a substitute for the amendment offered by the gentleman from Texas [Mr. McFARLANE].

The Clerk read as follows:

Substitute amendment offered by Mr. ANDREWS of New York: Strike out "\$25,000" and insert in lieu thereof "\$40,000."

Mr. McFARLANE. Mr. Speaker, I shall be glad to accept the substitute amendment. It will authorize the same amount the State of Missouri has appropriated.

The SPEAKER. The question is on the substitute amendment.

The substitute amendment was agreed to.

The SPEAKER. The question recurs on the amendment as amended by the substitute.

The amendment as amended by the substitute was agreed to.

The Clerk concluded the reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF N. R. A.

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that the joint resolution (S. J. Res. 113) be given a privileged status, to be called up at any time, and that general debate be confined to the joint resolution and continue not to exceed 1 hour, to be equally divided and controlled by the gentleman from Massachusetts [Mr. TREADWAY] and myself.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the joint resolution (S. J. Res. 113) be given a privileged status, to be called up at any time, and that general debate be confined to the joint resolution and continue not to exceed 1 hour, to be equally divided and controlled by the gentleman from North Carolina [Mr. DOUGHTON] and the gentleman from Massachusetts [Mr. TREADWAY].

Is there objection?

Mr. SNELL. Mr. Speaker, reserving the right to object, it seems to me that perhaps 1 hour is a little short time for debate. I would like to have it understood, as the gentleman from Massachusetts [Mr. TREADWAY], the ranking member of the Committee on Ways and Means, does not happen to be on the floor at this time, that should we need a little more time the gentleman from North Carolina would grant that request.

Mr. DOUGHTON. I am sure that we can arrange that all right.

Mr. SNELL. And I think the gentleman should give us a little notice of the day it is going to be called up. I do not want to object to giving the joint resolution a privileged status.

Mr. TARVER. Mr. Speaker, may we have the resolution reported? It has not yet been reported and we do not know what the subject matter of the resolution is.

The SPEAKER. The matter before the House is simply a request to give the resolution a privileged status.

Mr. TARVER. What is the resolution?

The SPEAKER. It is the resolution extending the N. I. R. A.

The Clerk will report the title of the joint resolution.

The Clerk read as follows:

S. 113

Joint resolution to extend until April 1, 1936, the provisions of title I of the National Industrial Recovery Act, and for other purposes.

Mr. SNELL. As I understand the situation, the chairman of the committee expects to call this up on Friday?

Mr. DOUGHTON. It is our hope and expectation to call it up for consideration on Friday. We will know more definitely tomorrow.

Mr. TARVER. Mr. Speaker, reserving the right to object, the committee, as I understand it, has not yet reported the resolution?

Mr. DOUGHTON. It has not.

Mr. TARVER. I have noticed in the press two statements which are to some extent in conflict as to what course is to be followed by the committee. One statement would indicate that the committee intends to report the resolution without amendment, in which event the question before the House would be whether or not the N. R. A. shall be extended for 10 months approximately, including an authorization for the extension of the codes with the understanding that the administrative authorities, in view of the Supreme Court decision, will not undertake to enforce the codes. Another viewpoint expressed in the press is that the resolution will be amended so as to eliminate any suggestion of the continuation of the codes. May I ask the Chairman of the Ways and Means Committee if he is in position to give us information as to whether or not the committee intends to amend the resolution to comply strictly with the Supreme Court decision?

Mr. DOUGHTON. In response to the inquiry of the gentleman from Georgia [Mr. Tarver] may I say that I cannot give definite information, but it is my impression, speaking for myself alone and as chairman of the committee, that the Senate joint resolution will be amended before being reported to the House so as to conform to the Supreme Court decision.

Mr. TARVER. Speaking for myself, I would not feel inclined to vote for a resolution which is in conflict with the Supreme Court decision upon the assumption that the administrative authorities by inaction would leave inoperative those portions of the act which may be in conflict with that decision.

Mr. DOUGHTON. The gentleman is familiar with the rules of the House. This request does not bind anyone as to his vote. I am simply asking unanimous consent that this matter may have a privileged status.

Mr. TARVER. The gentleman is requesting only 1 hour's general debate and if any such question as I have just referred to were to be presented, certainly more than an hour should be set aside for the purpose of discussion.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. McFARLANE. Mr. Speaker, reserving the right to object, and I do not intend to object, may I ask the gentleman whether it is the purpose of the committee to amend the Senate resolution or report an entirely new resolution?

Mr. DOUGHTON. The purpose, so far as the Chairman knows at this time, is to bring in an amended Senate resolution, but the committee has not yet reached a final decision with reference to the matter. So far as I am advised at this time, it will be our purpose to amend the Senate joint resolution and bring it in for consideration.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. SHORT. Mr. Speaker, reserving the right to object, may I ask the chairman of the committee if it is possible to extend a dead carcass?

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. HULL. Mr. Speaker, reserving the right to object, may I ask the gentleman a question. Why, after we have been here 2 weeks doing very little of anything, is it so necessary now to have this brought out and passed with only 1 hour's debate? Why can we not have a voice in these matters instead of having these bills held up until the last minute and then, with practically nothing to do on the floor of the House day after day, we have to come in and are required to vote with the majority?

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. SHORT. Mr. Speaker, I object.

CAPT. ALEXANDER C. DOYLE

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 240) for the

relief of Capt. Alexander C. Doyle, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the Senate amendment, as follows:

Lines 10 and 11, strike out "decision, and to certify same to Congress for an appropriation" and insert "decision. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,655, or so much thereof as may be necessary, to pay said claim."

The Senate amendment was concurred in.

ADDITIONAL CADETS AT UNITED STATES MILITARY ACADEMY

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2105) to provide for an additional number of cadets at the United States Military Academy, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Chair appointed the following conferees: Mr. McSWAIN, Mr. HILL of Alabama, and Mr. RANSLEY.

RIGHT-OF-WAY TO PHILLIPS PIPE LINE CO.

Mr. McSWAIN. Mr. Speaker, I call up the bill (H. R. 7902) to provide a right-of-way, and ask unanimous consent that this bill may be considered in the House as in the Committee of the Whole. I may say that this merely provides for a modification of a previous right-of-way act of Congress.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and empowered, under such terms and conditions as are deemed advisable by him, to grant to Phillips Pipe Line Co., its successors and/or assigns, an easement for a right-of-way for a gasoline pipe line over, across, in, and upon Jefferson Barracks Military Reservation, Mo.: *Provided*, That such right-of-way shall be granted only upon a finding by the Secretary of War that the same will be in the public interest and will not substantially injure the interest of the United States in the property affected thereby: *Provided further*, That all or any part of such right-of-way may be annulled and forfeited by the Secretary of War if the property is needed for governmental purposes, for failure to comply with the terms or conditions of any grant hereunder, or for nonuse or for abandonment of rights granted under the authority hereof.

Mr. McSWAIN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McSWAIN: Page 2, line 4, after the word "purposes" and before the word "for", strike out the comma and insert in lieu thereof the word "or."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN LAND IN LOS ANGELES COUNTY, CALIF.

Mr. McSWAIN. Mr. Speaker, I call up the bill (H. R. 6437) to amend Private Act No. 5, Seventy-third Congress, entitled "An act to convey certain land in the county of Los Angeles, State of California."

The Clerk read the title of the bill.

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That Private Act No. 5, Seventy-third Congress, approved March 24, 1933, is amended to read as follows:

That the Secretary of War be, and he is hereby, authorized and directed to convey to the county of Los Angeles, State of California, without cost, the hereinafter-described land, to be used for public park, playground, and recreation purposes only, on condition that should the land not be used for such purposes it shall revert to the United States:

"All those certain lots, pieces, or parcels of land, together with all buildings thereon, situate, lying, and being in the city of

Arcadia, county of Los Angeles, and State of California, and particularly described as follows, to wit: Lot 4 of tract no. 949 as delineated upon the map of said tract recorded in book 17 of maps, at page 13, records of Los Angeles County, and lots 3, 4, 5, and 6 of tract no. 2409 as delineated upon the map of said tract, recorded in book 23 of maps, at page 23, records of Los Angeles County. The land intended to be conveyed by this deed is bounded on the north by Falling Leaf Avenue, on the east of Santa Anita Avenue, on the south by Huntington Drive and by land now owned by Clara Baldwin Stocker, and on the west by the rights-of-way of Pacific Electric Railroad Co. and Southern Pacific Railroad Co., and being all of the land claimed or owned by the grantor within the exterior bounds of Arcadia balloon field."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RUSSIAN RAILWAY SERVICE CORPS

Mr. McSWAIN. Mr. Speaker, I call up the bill (S. 1095) for the relief of the officers of the Russian Railway Service Corps organized by the War Department under authority of the President of the United States for service during the war with Germany.

The Clerk read the title of the bill.

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

Mr. COLLINS. Mr. Speaker, I object.

The SPEAKER. This bill is on the Union Calendar and the House automatically resolves itself into the Committee of the Whole House on the state of the Union for the consideration of the bill.

Mr. COLLINS. Mr. Speaker, I make the point of no quorum.

Mr. TAYLOR of Colorado. Mr. Speaker, will the gentleman from California withhold that a moment in order that the gentleman from Texas may submit a unanimous-consent request?

Mr. COLLINS. Yes; I withhold it, Mr. Speaker.

4-H CLUBS

Mr. JONES. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 288) authorizing the Secretary of Agriculture to pay necessary expenses of assemblages of the 4-H clubs, and for other purposes, which I send to the Clerk's desk.

The Clerk read the joint resolution, as follows:

House Joint Resolution 288

Resolved, etc., That nothing contained in the act of February 2, 1935 (Public Resolution No. 2, 74th Cong.), shall be construed to prohibit the Secretary of Agriculture from paying the necessary expenses or assemblages of the 4-H boys' and girls' clubs, and other committees, assemblages, or gatherings called by the Secretary of Agriculture in the District of Columbia or elsewhere, in the furtherance of the cooperative, technical, and scientific work of the Department.

With the following committee amendment:

Page 1, line 7, strike out the words "and other committees, assemblages, or gatherings"; on page 1, line 10, strike out, after the word "cooperative", the words "technical and scientific" and insert the word "extension."

Mr. SNELL. Mr. Speaker, reserving the right to object, I would like to have some explanation of this bill to see just exactly what it does.

Mr. JONES. Mr. Speaker, on February 2, 1935, the House passed a resolution which forbade any of the departments paying any of the expenses of any of the groups which came to Washington. For 15 years the 4-H boys' and girls' club, through competitive methods and through prizes, have been sending representatives from each State on a few days' camping trip in Washington. They camp on the Department of Agriculture grounds. The Army furnishes the tents and the Department of Agriculture has been accustomed to paying for the lights and for the water and, perhaps, some cleaning up of the grounds. The expenses of the boys and girls to Washington are paid through prizes and contributions by chambers of commerce and through railway rates, and so forth. There is no expense to the Government except these incidental expenses while these representatives are in Washington.

Mr. SNELL. This bill does not provide for anything else or for anybody else except the members of the 4-H clubs?

Mr. JONES. That is correct. The committee has cut out everything except the 4-H boys' and girls' clubs.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES— COMMISSION OF FINE ARTS

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on the Library:

To the Congress of the United States:

I transmit herewith for the information of the Congress the report of the Commission of Fine Arts of their activities during the period July 1, 1929, to December 31, 1934.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 5, 1935.

AMENDING THE MIGRATORY BIRD HUNTING STAMP ACT OF MARCH 16, 1934

Mr. KLEBERG. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7982) to amend the Migratory Bird Hunting Stamp Act of March 16, 1934, and certain other acts relating to game and other wild life, administered by the Department of Agriculture, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc.,

TITLE I—MIGRATORY BIRD HUNTING STAMP

SECTION 1. That section 1 of the act entitled "An act to supplement and support the Migratory Bird Conservation Act by providing funds for the acquisition of areas for use as migratory-bird sanctuaries, refuges, and breeding grounds, for developing and administering such areas, for the protection of certain migratory birds, for the enforcement of the Migratory Bird Treaty Act and regulations thereunder, and for other purposes", approved March 16, 1934 (48 Stat. 451), is amended so as to read as follows:

"That no person over 16 years of age shall take any migratory waterfowl unless at the time of such taking he carries on his person an unexpired Federal migratory bird hunting stamp validated by his signature written by himself in ink across the face of the stamp prior to his taking such birds; except that no such stamp shall be required for the taking of migratory waterfowl by Federal or State institutions or official agencies, or for propagation, or by the resident owner, tenant, or share-cropper of the property or officially designated agencies of the Department of Agriculture for the killing, under such restrictions as the Secretary of Agriculture may by regulation prescribe, of such waterfowl when found injuring crops or other property. Any person to whom a stamp has been sold under this act shall upon request exhibit such stamp for inspection to any officer or employee of the Department of Agriculture authorized to enforce the provisions of this act or to any officer of any State or any political subdivision thereof authorized to enforce game laws."

SEC. 2. That section 2 of said act is amended so as to read as follows:

"SEC. 2. That the stamps required by this act shall be issued and sold by the Post Office Department under regulations prescribed by the Postmaster General: *Provided*, That the stamps shall be sold at all post offices of the first and second class and at such others as the Postmaster General shall direct. For each stamp sold under the provisions of this act there shall be collected by the Post Office Department the sum of \$1. No such stamp shall be valid under any circumstances to authorize the taking of migratory waterfowl except in compliance with Federal and State laws and regulations, and then only when the person so taking such waterfowl shall himself have written his signature in ink across the face of the stamp prior to such taking. Each such stamp shall expire and be void after the 30th day of June next succeeding its issuance, and all such stamps remaining unsold by the Post Office Department at the expiration of said June 30 shall be destroyed by said Department. No stamp sold under this act shall be redeemable by said Department in cash or in kind."

SEC. 3. That section 4 of said act is amended by striking out the word "postmaster" in the second line of said section and substituting in lieu thereof the words "Post Office Department", and by striking out subdivision (b) of said section and substituting in lieu thereof the following:

"(b) The remainder shall be available for expenses in executing this act, the Migratory Bird Conservation Act, the Migratory Bird Treaty Act, and any other acts to carry into effect any treaty for

the protection of migratory birds, including personal services in the District of Columbia and elsewhere, and also including advance allotments to be made by the Secretary of Agriculture to the Post Office Department at such times and in such amounts as may be mutually agreed upon by the Secretary of Agriculture and the Postmaster General for direct expenditure by the Post Office Department for engraving, printing, issuing, selling, and accounting for migratory bird hunting stamps and moneys received from the sale thereof, personal services in the District of Columbia and elsewhere, and for such other expenses as may be necessary in executing the duties and functions required of the Postal Service by this act: *Provided*, That the protection of said inviolate migratory-bird sanctuaries shall be, so far as possible, under section 17 of the Migratory Bird Conservation Act of February 18, 1929."

Sec. 4. That subdivision (c) of said section 4 of said act is hereby repealed.

Sec. 5. That section 5 of said act is amended so as to read as follows:

"Sec. 5. (a) That no person to whom has been sold a migratory-bird hunting stamp, validated as provided in section 1 of this act, shall loan or transfer such stamp to any person during the period of its validity; nor shall any person other than the person validating such stamp use it for any purpose during such period.

"(b) That no person shall alter, mutilate, imitate, or counterfeit any stamp authorized by this act, or imitate or counterfeit any die, plate, or engraving therefor, or make, print, or knowingly use, sell, or have in his possession any such counterfeit, die, plate, or engraving."

TITLE II—INTERSTATE COMMERCE IN GAME AND OTHER WILDLIFE KILLED OR SHIPPED IN VIOLATION OF LAW

SECTION 201. That sections 242, 243, and 244 of the act of March 4, 1909, entitled "An act to codify, revise, and amend the penal laws of the United States" (35 Stat. 1088), are amended to read as follows:

"Sec. 242. It shall be unlawful for any person, firm, corporation, or association to deliver or knowingly receive for shipment, transportation, or carriage, or to ship, transport, or carry, by any means whatever, from any State, Territory, or the District of Columbia to, into, or through any other State, Territory, or the District of Columbia, or to a foreign country any wild animal or bird, or the dead body or part thereof, or the egg of any such bird imported from any foreign country contrary to any law of the United States, or captured, killed, taken, purchased, sold, or possessed contrary to any such law, or captured, killed, taken, shipped, transported, carried, purchased, sold, or possessed contrary to the law of the State, Territory, or the District of Columbia, or foreign country or State, Province, or other subdivision thereof in which it was captured, killed, taken, purchased, sold, or possessed or in which it was delivered or knowingly received for shipment, transportation, or carriage, or from which it was shipped, transported, or carried; and it shall be unlawful for any person, firm, corporation, or association to transport, bring, or convey, by any means whatever, from any foreign country into the United States any wild animal or bird, or the dead body or part thereof, or the egg of any such bird captured, killed, taken, shipped, transported, or carried contrary to the law of the foreign country or State, Province, or other subdivision thereof in which it was captured, killed, taken, delivered, or knowingly received for shipment, transportation, or carriage, or from which it was shipped, transported, or carried; and no person, firm, corporation, or association shall knowingly purchase or receive any wild animal or bird, or the dead body of part thereof, or the egg of any such bird imported from any foreign country or shipped, transported, carried, brought, or conveyed, in violation of this section; nor shall any person, firm, corporation, or association purchasing or receiving any wild animal or bird, or the dead body or part thereof, or the egg of any such bird, imported from any foreign country, or shipped, transported, or carried in interstate commerce make any false record or render any account that is false in any respect in reference thereto.

"Sec. 243. All packages or containers in which wild animals or birds, or the dead bodies or parts thereof, or the eggs of any such birds are shipped, transported, carried, brought, or conveyed, by any means whatever, from one State, Territory, or the District of Columbia to, into, or through another State, Territory, or the District of Columbia, or to or from a foreign country shall be plainly and clearly marked or labeled on the outside thereof with the names and addresses of the shipper and consignee and with an accurate statement showing by number and kind the contents thereof.

"Sec. 244. For each evasion or violation of, or failure to comply with, any provision of the three sections last preceding, any person, firm, corporation, or association, upon conviction thereof, shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 6 months, or both."

Sec. 202. That any employee of the Department of Agriculture authorized by the Secretary of Agriculture to enforce the provisions of said sections 242 and 243, and any officer of the customs, shall have power to arrest any person committing a violation of any provision of said sections in his presence or view and to take such person immediately for examination or trial before an officer or court of competent jurisdiction; shall have power to execute any warrant or other process issued by an officer or court of competent jurisdiction to enforce the provisions of said sections; and shall have authority to execute any warrant to search for and seize wild animals or birds, or the dead bodies or parts thereof, or the eggs of such birds, delivered or received for shipment, transportation, or carriage, or shipped, transported, carried,

brought, conveyed, purchased, or received in violation of said sections 242 and 243. Any judge of a court established under the laws of the United States or any United States commissioner may, within his jurisdiction, upon proper oath or affirmation showing probable cause, issue warrants in all such cases. Wild animals or birds, or the dead bodies or parts thereof, or the eggs of such birds, delivered or received for shipment, transportation, or carriage, or shipped, transported, carried, brought, conveyed, purchased, or received contrary to the provisions of said sections 242 and 243 shall, when found, be taken into possession and custody by any such employee or by the United States marshal or his deputy, or by any officer of the customs, and held pending disposition thereof by the court; and when so taken into possession or custody, upon conviction of the offender or upon judgment of a court of the United States that the same were delivered or received for shipment, transportation, or carriage, or were shipped, transported, carried, brought, conveyed, purchased, or received contrary to any provision of said sections 242 and 243, or were imported in violation of any law of the United States, as a part of the penalty and in addition to any fine or imprisonment imposed under aforesaid section 244, or otherwise, shall be forfeited and disposed of as directed by the court.

TITLE III—ACQUISITION OF LANDS FOR MIGRATORY BIRD REFUGES

SECTION 301. That section 6 of the Migratory Bird Conservation Act, approved February 18, 1929 (45 Stat. 1222), is amended to read as follows:

"Sec. 6. That the Secretary of Agriculture may do all things and make all expenditures necessary to secure the safe title in the United States to the areas which may be acquired under this act, but no payment shall be made for any such areas until the title thereto shall be satisfactory to the Attorney General, but the acquisition of such areas by the United States shall in no case be defeated because of rights-of-way, easements, and reservations which from their nature will in the opinion of the Secretary of Agriculture in no manner interfere with the use of the areas so encumbered for the purposes of this act; but such rights-of-way, easements, and reservations retained by the grantor or lessor from whom the United States receives title under this or any other act for the acquisition by the Secretary of Agriculture of areas for wildlife refuges shall be subject to rules and regulations prescribed by the Secretary of Agriculture for the occupation, use, operation, protection, and administration of such areas as inviolate sanctuaries for migratory birds or as refuges for wildlife; and it shall be expressed in the deed or lease that the use, occupation, and operation of such rights-of-way, easements, and reservations shall be subordinate to and subject to such rules and regulations as are set out in such deed or lease or, if deemed necessary by the Secretary of Agriculture, to such rules and regulations as may be prescribed by him from time to time."

Sec. 302. That when the public interests will be benefited thereby the Secretary of Agriculture is authorized, in his discretion, to accept on behalf of the United States title to any land which he deems chiefly valuable for wildlife refuges, and in exchange therefor to convey by deed on behalf of the United States an equal value of lands acquired by him for like purposes, or he may authorize the grantor to cut and remove from such lands an equal value of timber, hay, or other products, or to otherwise use said lands, when compatible with the protection of the wildlife thereon, the values in each case to be determined by said Secretary. Timber or other products so granted shall be cut and removed, and other uses exercised, under the laws and regulations applicable to such refuges and under the direction of the Secretary of Agriculture and under such supervision and restrictions as he may prescribe. Any lands acquired by the Secretary of Agriculture under the terms of this section shall immediately become a part of the refuge or reservation of which the lands, timber, and other products or uses given in exchange were or are a part and shall be administered under the laws and regulations applicable to such refuge or reservation.

Sec. 303. That when the public interests will be benefited thereby the Secretary of the Interior is authorized, in his discretion, to accept on behalf of the United States title to any lands which, in the opinion of the Secretary of Agriculture, are chiefly valuable for migratory bird or other wildlife refuges, and in exchange therefor may patent not to exceed an equal value of surveyed or unsurveyed, unappropriated, and unreserved nonmineral public lands of the United States in the same State, the value in each case to be determined by the Secretary of Agriculture. Before any such exchange is effected notice thereof, reciting the lands involved, shall be published once each week for 4 successive weeks in some newspaper of general circulation in the county or counties in which may be situated the lands proposed to be granted by the United States in such exchange. Lands conveyed to the United States under this section shall be held and administered by the Secretary of Agriculture under the terms of section 10 of the aforesaid Migratory Bird Conservation Act of February 18, 1929, and all the provisions of said section of said act are hereby extended to and shall be applicable to the lands so acquired.

Sec. 304. That all the provisions of section 6 of the aforesaid Migratory Bird Conservation Act, as hereby amended, relating to rights-of-way, easements, and reservations shall apply equally to exchanges effected under the provisions of this act, and in any such exchanges the value of such rights-of-way, easements, and reservations shall be considered in determining the relation of value of the lands received by the United States to that of the land conveyed by the United States.

TITLE IV—PARTICIPATION OF STATES IN REVENUE FROM CERTAIN WILDLIFE REFUGES

SECTION 401. That 25 percent of all money received during each fiscal year from the sale or other disposition of surplus wildlife, or of timber, hay, grass, or other spontaneous products of the soil, shell, sand, or gravel, and from other privileges on refuges established under the Migratory Bird Conservation Act of February 18, 1929, or under any other law, proclamation, or Executive order, administered by the Bureau of Biological Survey of the United States Department of Agriculture, shall be paid at the end of such year by the Secretary of the Treasury to the county or counties in which such refuge is situated, to be expended for the benefit of the public schools and roads in the county or counties in which such refuge is situated: *Provided*, That when any such refuge is in more than one State or Territory or county or subdivision, the distributive share to each from the proceeds of such refuge shall be proportional to its area therein: *Provided further*, That the disposition or sale of surplus animals, and products, and the grant of privileges on said wildlife refuges may be made upon such terms and conditions as the Secretary of Agriculture shall determine to be for the best interests of government or for the advancement of knowledge and the dissemination of information regarding the conservation of wildlife, including sale in the open market, exchange for animals of the same or other kinds, and gifts or loans to public or private institutions for exhibition or propagation: *And provided further*, That out of any moneys received from the grant, sale, or disposition of such animals, products, or privileges, or as a bonus upon the exchange of such animals the Secretary of Agriculture is authorized to pay any necessary expenses incurred in connection with and for the purpose of effecting the removal, grant, disposition, sale, or exchange of such animals, products, or privileges; and in all cases such expenditures shall be deducted from the gross receipts of the refuge before the Secretary of the Treasury shall distribute the 25 percent thereof to the States as hereinbefore provided.

TITLE V—ACQUISITION OF WILDLIFE REFUGES

SECTION 501. The President of the United States is hereby authorized to allocate out of moneys appropriated to him under the terms of Public Resolution No. 11, Seventy-fourth Congress, approved April 8, 1935, such sum as he may deem necessary or advisable for the acquisition by purchase, or otherwise, including the necessary expenses incidental thereto, of areas of land and water or land or water for game bird and animal refuges and for migratory bird sanctuaries and refuges, to be expended in accordance with the provisions of the said Public Resolution No. 11.

TITLE VI—TRANSFER OF WIND CAVE NATIONAL GAME PRESERVE TO THE DEPARTMENT OF THE INTERIOR

SECTION 601. That, effective July 1, 1935, the Wind Cave National Game Preserve in the State of South Dakota, be, and the same is hereby, abolished, and all the property, real or personal, comprising the same is hereby transferred to and made a part of the Wind Cave National Park and the same shall hereafter be administered by the Secretary of the Interior as a part of said park, subject to all laws and regulations applicable thereto, for the purposes expressed in the act of August 10, 1912 (37 Stat. 268-293), establishing said game preserve.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. KLEBERG. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. MOTT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a report of the Secretary of War on H. R. 5720.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PRESIDENT ROOSEVELT ON HOME RULE UNDER THE CONSTITUTION

Mr. ANDREW of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD by inserting a national broadcast given by President Roosevelt on March 2, 1930, when he was Governor of New York.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ANDREW of Massachusetts. Mr. Speaker, I believe that the Members of this House, irrespective of party, but especially the Democratic Members who do not believe that the Constitution of the United States belongs entirely to

"the horse and buggy era", will be glad to turn back the pages of history and read what President Franklin D. Roosevelt thought 5 years ago when he was Governor of the State of New York.

Under the leave to extend my remarks in the RECORD, I include, therefore, the following quotations from the reported text of his speech in defense of home rule in a coast to coast broadcast on March 2, 1930:

Governor Roosevelt said:

The proper relations between the Government of the United States and the governments of the separate States thereof depend entirely, in their legal aspects on what powers have been voluntarily ceded to the central Government by the States themselves. What these powers of government are is contained in our national Constitution, either by direct language, by judicial interpretation thereof during many years, or by implication so plain as to have been recognized by the people generally.

BELIEVES OVERCENTRALIZATION LEADS TO DISUNION

The United States Constitution has proved itself the most marvelously elastic compilation of rules of government ever written. Drawn up at a time when the population of this country was practically confined to a fringe along our Atlantic coast, combining into one Nation for the first time scattered and feeble States, newly released from the autocratic control of the English Government, its preparation involved innumerable compromises between the different Commonwealths. Fortunately for the stability of our Nation, it was already apparent that the vastness of our territory presented geographical and climatic differences which gave to the States wide differences in the nature of their industry, their agriculture, and their commerce. Already the New England States had turned toward shipping and manufacturing, while the South was devoting itself almost exclusively to the easier agriculture which a milder climate permitted. Thus, already it was clear to the framers of our Constitution that the greatest possible liberty of self-government must be given to each State, and that any national administration attempting to make all laws for the whole Nation, such as was wholly practical in Great Britain, would inevitably result at some future time in a dissolution of the Union itself.

NOTES DANGER SIGNALS FOR THE STATES

The preservation of this home rule by the States is not a cry of jealous Commonwealths seeking their own aggrandizement at the expense of sister States. It is a fundamental necessity if we are to remain a truly united country. The whole success of our democracy has not been that it is a democracy wherein the will of a bare majority of the total inhabitants is imposed upon the minority, but because it has been a democracy where, through a dividing of government into units called States, the rights and interests of the minority have been respected and have always been given a voice in the control of our affairs. This is the principle on which the little State of Rhode Island is given just as large a voice in our national Senate as the great State of New York.

The moment a mere numerical superiority by either States or voters in this country proceeds to ignore the needs and desires of the minority, and for their own selfish purposes or advancement, hamper or oppress that minority, or debar them in any way from equal privileges and equal rights—that moment will mark the failure of our constitutional system.

For this reason a proper understanding of the fundamental powers of the States is very necessary and important. There are already, I am sorry to say, danger signals flying. A lack of study and knowledge of the matter of the sovereign power of the people through State government has led us to drift insensibly toward that dangerous disregard of minority needs which marks the beginning of autocracy. Let us not forget that there can be an autocracy of special classes or commercial interests which is utterly incompatible with a real democracy whose boasted motto is, "Of the people, by the people, and for the people." Already the more thinly populated agricultural districts of the West are bitterly complaining that rich and powerful industrial interests of the East have shaped the course of government to selfish advantage.

DENOUNCES RULE BY MASTER MINDS

The doctrine of regulation and legislation by master minds, in whose judgment and will all the people may gladly and quietly acquiesce, has been too glaringly apparent at Washington during these last 10 years. Were it possible to find master minds so unselfish, so willing to decide it unhesitatingly against their own personal interests or private prejudices, men almost godlike in their ability to hold the scales of justice with an even hand—such a government might be to the interests of the country; but there are none such on our political horizon, and we cannot expect a complete reversal of all the teachings of history.

Now, to bring about government by oligarchy masquerading as democracy it is fundamentally essential that practically all authority and control be centralized in our National Government. The individual sovereignty of our States must first be destroyed, except in mere minor matters of legislation. We are safe from the danger of any such departure from the principles on which this

country was founded just so long as the individual home rule of the States is scrupulously preserved and fought for whenever they seem in danger.

STRESSES VALUE OF HOME RULE

Thus it will be seen that this home rule is a most important thing—the most vital thing—if we are to continue along the course on which we have so far progressed with such unprecedented success.

On this sure foundation of the protection of the weak against the strong, stone by stone, our entire edifice of government has been erected. As the individual is protected from possible oppression by his neighbors, so the smallest political unit, the town, is, in theory at least, allowed to manage its own affairs, secure from undue interference by the larger unit of the county, which in turn is protected from mischievous meddling by the State.

That is what we call the doctrine of "home rule", and the whole spirit and intent of the Constitution is to carry this great principle into the relations between the National Government and the government of the States.

DISPARAGES NATIONAL UNIFORMITY IN LEGISLATION

Let us remember that from the very beginning differences in climate, soil conditions, habits, and mode of living in States separated by thousands of miles rendered it necessary to give the fullest individual latitude to the individual States. Remembering that the mining States of the Rockies, the fertile savannahs of the South, the prairies of the West, and the rocky soil of the New England States created many problems, introduced many factors in each locality which have no existence in others, it is obvious that almost every new or old problem of government must be solved, if it is to be solved to the satisfaction of the people of the whole country, by each State in its own way.

LEAVE TO ADDRESS THE HOUSE

Mr. HOOK. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes tomorrow morning, immediately after the business on the Speaker's table has been disposed of.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CARMICHAEL (at the request of Mr. HILL of Alabama), on account of important business;

To Mr. COSTELLO (at the request of Mr. HILL of Alabama), on account of important business;

To Mr. STEAGALL (at the request of Mr. HILL of Alabama), on account of illness; and

To Mr. OLIVER (at the request of Mr. HILL of Alabama), on account of illness.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and under the rule referred as follows:

S. 2512. An act to require registration of persons engaged in influencing legislation or Government contracts and activities; to the Committee on the Judiciary.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills and an enrolled joint resolution of the Senate of the following titles:

S. 38. An act for the relief of Winifred Meagher;

S. 279. An act to extend the time for the refunding of certain taxes erroneously collected from certain building-and-loan associations;

S. 285. An act to reimburse the estate of Mary Agnes Roden;

S. 448. An act to authorize a preliminary examination of the Coquille River and its tributaries in the State of Oregon with a view to the control of its floods;

S. 449. An act to authorize a preliminary examination of Umpqua River and its tributaries in the State of Oregon with a view to the control of its floods;

S. 462. An act to authorize an extension of exchange authority and addition of public lands to the Willamette National Forest in the State of Oregon;

S. 535. An act for the relief of William Cornwell and others;

S. 558. An act for the relief of certain disbursing officers of the Army of the United States and for the settlement of an individual claim approved by the War Department;

S. 654. An act authorizing the exchange of the lands reserved for the Seminole Indians in Florida for other lands;

S. 742. An act for the relief of Charles A. Lewis;

S. 905. An act for the relief of Edith N. Lindquist;

S. 931. An act for the relief of the Concrete Engineering Co.;

S. 1027. An act for the relief of Dr. R. N. Harwood;

S. 1038. An act authorizing adjustment of the claim of Elda Geer;

S. 1212. An act to amend section 1383 of the Revised Statutes of the United States;

S. 1317. An act authorizing a preliminary examination of the Nehalem, Miami, Kilchis, Wilson, Trask, and Tillamook Rivers, in Tillamook County, Oreg., with a view to the controlling of floods;

S. 1386. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim, or claims, of Duke E. Stubbs and Elizabeth S. Stubbs, both of McKinley Park, Alaska;

S. 1469. An act to transfer certain lands from the Veterans' Administration to the Department of the Interior for the benefit of Yavapai Indians, Arizona;

S. 1487. An act for the relief of Mick C. Cooper;

S. 1513. An act to add certain lands to the Siskiyou National Forest in the State of Oregon;

S. 1539. An act relating to undelivered parcels of the first class;

S. 1609. An act for the relief of the present leaders of the United States Navy Band and the band of the United States Marine Corps;

S. 1712. An act to amend section 4878 of the United States Revised Statutes, as amended, relating to burials in national cemeteries;

S. 1942. An act to repeal the act entitled "An act to grant to the State of New York and the Seneca Nation of Indians jurisdiction over the taking of fish and game within the Allegany, Cattaraugus, and Oil Spring Indian Reservations", approved January 5, 1927;

S. 2146. An act for the relief of certain Indians of the Flathead Reservation killed or injured en route to dedication ceremonies of the Going-to-the-Sun Highway, Glacier National Park;

S. 2241. An act to authorize an appropriation to carry out the provisions of the act of May 3, 1928 (45 Stat. L. 484);

S. 2467. An act for the retirement of William J. Stannard, leader of the United States Army Band;

S. 2505. An act authorizing a preliminary examination of Sebawaing River, in Huron County, Mich., with a view to the controlling of floods;

S. 2530. An act to protect American and Philippine labor and to preserve an essential industry, and for other purposes;

S. 2899. An act to provide for increasing the limit of cost for the construction and equipment of an annex to the Library of Congress; and

S. J. Res. 130. Joint resolution making immediately available the appropriation for the fiscal year 1936 for the construction, repair, and maintenance of Indian-reservation roads.

ADJOURNMENT

On motion of Mr. TAYLOR of Colorado (at 3 o'clock and 55 minutes p. m.) the House adjourned until tomorrow, Thursday, June 6, 1935, at 12 o'clock noon.

COMMITTEE MEETING

SUBCOMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Will hold hearings on H. R. 3263 and other railroad legislation at 10 o'clock Thursday morning, June 6, 1935, in the committee room of Coinage, Weights, and Measures, 115 old House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, Executive communications were taken from the Speaker's table and referred as follows:

375. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of Labor for the fiscal year 1936, amounting to \$600,000 (H. Doc. No. 216); to the Committee on Appropriations, and ordered to be printed.

376. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the District of Columbia for the fiscal year 1936, in the amount of \$3,000, for the maintenance of isolating wards for minor contagious diseases at Garfield Memorial Hospital (H. Doc. No. 217); to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. HILL of Alabama: Committee on Military Affairs. H. R. 6768. A bill to authorize the Secretary of War to lend War Department equipment for use at the Seventeenth National Convention of the American Legion at St. Louis, Mo., during the month of September 1935; without amendment (Rept. No. 1099). Referred to the Committee of the Whole House on the state of the Union.

Mr. SCHULTE: Committee on Immigration and Naturalization. House Joint Resolution 236. Joint resolution to suspend issuance of nonquota immigration visas to persons born in the Republic of Mexico, to suspend issuance of all nonpreference quota immigration visas, and for other purposes; without amendment (Rept. No. 1100). Referred to the Committee of the Whole House on the state of the Union.

Mr. GREEVER: Committee on the Public Lands. H. R. 8289. A bill to amend an act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920 (41 Stat. 437; U. S. C., title 30, secs. 185, 221, 223, and 226), as amended; without amendment (Rept. No. 1101). Referred to the Committee of the Whole House on the state of the Union.

Mr. FLANNAGAN: Committee on Agriculture. H. R. 8026. A bill to establish and promote the use of standards of classification for tobacco, to provide and maintain an official tobacco inspection service, and for other purposes; without amendment (Rept. No. 1102). Referred to the Committee of the Whole House on the state of the Union.

Mrs. GREENWAY: Committee on the Public Lands. House Joint Resolution 276. Joint resolution authorizing the State of Arizona to transfer to the town of Benson without cost title to section 16, township 17 south, range 20 east, Gila and Salt River meridian, for school and park purposes; without amendment (Rept. No. 1103). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 1420. A bill to provide for the acquisition of the Andrew Johnson Homestead, Greenville, Tenn., as a national shrine; with amendment (Rept. No. 1105). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING: Committee on Immigration and Naturalization. H. R. 7975. A bill to permit alien wives of American citizens who were married prior to the approval of the Immigration Act of 1924 to enter the United States; without amendment (Rept. No. 1106). Referred to the Committee of the Whole House on the state of the Union.

Mr. COX: Committee on Rules. House Resolution 240. Resolution for the consideration of S. 1432; without amendment (Rept. No. 1108). Referred to the House Calendar.

Mr. BLACKNEY: Committee on Public Buildings and Grounds. H. R. 7875. A bill to provide for the transfer of certain land in the city of Charlotte, Mich., to such city; without amendment (Rept. No. 1109). Referred to the Committee of the Whole House on the state of the Union.

Mr. KERR: Committee on Immigration and Naturalization. H. R. 8163. A bill to authorize the deportation of criminals, to guard against the separation from their families of aliens of the noncriminal classes, to provide for legalizing the residence in the United States of certain classes of aliens, and for other purposes; without amendment (Rept. No. 1110). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. STUBBS: Committee on the Public Lands. H. R. 7671. A bill to direct the Secretary of the Interior to convey title to certain lands in California to the heirs of George P. Eddy; without amendment (Rept. No. 1104). Referred to the Committee of the Whole House.

Mr. PLUMLEY: Committee on Military Affairs. H. R. 5325. A bill for the relief of Ira L. Reeves; without amendment (Rept. No. 1111). Referred to the Committee of the Whole House.

Mr. COLLINS: Committee on Military Affairs. H. R. 5516. A bill authorizing the President to issue a posthumous commission as second lieutenant, Air Corps Reserve, to Archie Joseph Evans, deceased, and to present the same to Maj. Argess M. Evans, father of the said Archie Joseph Evans, deceased; without amendment (Rept. No. 1112). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 8220) for the relief of Helen Mahar Johnson, and the same was referred to the Committee on War Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURDICK: A bill (H. R. 8360) to promote the general welfare of the Indians of the United States, and for other purposes; to the Committee on Indian Affairs.

Also, a bill (H. R. 8361) to promote the general welfare of the Indians of the United States of America, and for other purposes; to the Committee on Indian Affairs.

By Mr. CANNON of Missouri: A bill (H. R. 8362) to amend the Packers and Stockyards Act; to the Committee on Agriculture.

By Mr. DOCKWEILER: A bill (H. R. 8363) to exempt from taxation receipts from the operation of Olympic Games if donated to the State of California, the city of Los Angeles, and the county of Los Angeles; to the Committee on Ways and Means.

By Mr. DRIVER: A bill (H. R. 8364) to amend section 4 of the Interstate Commerce Act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. MARCANTONIO: A bill (H. R. 8365) to provide for the immediate payment to World War veterans of the World War adjusted-service certificates, providing an authorization for an appropriation of \$2,265,000,000, and to extend the period for filing applications for rights under the World War Adjusted Compensation Act, and for other purposes; to the Committee on Ways and Means.

By Mr. RANKIN (by request): A bill (H. R. 8366) for the benefit of widows and children of any deceased person who served in the World War before November 12, 1918, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. MARTIN of Massachusetts: A bill (H. R. 8367) to amend the Silver Purchase Act of 1934; to the Committee on Ways and Means.

By Mr. SUMNERS of Texas: A bill (H. R. 8368) to enforce the twenty-first amendment; to the Committee on the Judiciary.

By Mr. MAAS: A bill (H. R. 8369) relating to laborers in the Railway Mail Service and motor-vehicle employees of the Postal Service; to the Committee on the Post Office and Post Roads.

By Mr. REILLY: A bill (H. R. 8370) to provide for the establishment of a Coast Guard station at Port Washington, Wis.; to the Committee on Merchant Marine and Fisheries.

By Mr. KELLER: A bill (H. R. 8371) to promote safety and efficiency in the national transportation system through a retirement system for railroads engaged in interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WILCOX: A bill (H. R. 8372) to authorize the acquisition of lands in the vicinity of Miami, Fla., as a site for a naval air station and to authorize the construction and installation of a naval air station thereon; to the Committee on Naval Affairs.

By Mr. SMITH of Washington: Resolution (H. Res. 241) for the consideration of H. R. 6995; to the Committee on Rules.

By Mr. MAAS: Joint resolution (H. J. Res. 309) extending the effective period of the Emergency Railroad Transportation Act, 1933; to the Committee on Interstate and Foreign Commerce.

By Mr. CROSSER of Ohio: Joint resolution (H. J. Res. 310) to provide for the payment of compensation and expenses of the Railroad Retirement Board as established and operated pursuant to section 9 of the Railroad Retirement Act of June 27, 1934, and to provide for the winding up of its affairs and the disposition of its property and records, and to make an appropriation for such purposes; to the Committee on Interstate and Foreign Commerce.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Commonwealth of Pennsylvania, regarding the Home Owners' Loan Corporation; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the Commonwealth of Massachusetts, regarding the use of granite in public buildings; to the Committee on Public Buildings and Grounds.

Also, memorial of the Legislature of the Commonwealth of Massachusetts regarding the watch industry and persons employed therein; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEAM: A bill (H. R. 8373) for the relief of James Fitzgerald; to the Committee on Claims.

By Mr. BEITER: A bill (H. R. 8374) granting an increase of pension to Sarah Wilcox; to the Committee on Invalid Pensions.

By Mr. BURNHAM: A bill (H. R. 8375) for the relief of Mearon Perkins; to the Committee on Claims.

By Mr. CARTER: A bill (H. R. 8376) for the relief of Kathryn S. Anderson; to the Committee on Claims.

By Mr. FLETCHER: A bill (H. R. 8377) granting a pension to Linford E. Dinkle; to the Committee on Pensions.

By Mr. KERR: A bill (H. R. 8378) to authorize a preliminary examination to be made of the Contentnea Creek, in the State of North Carolina, with a view to the control of floods; to the Committee on Flood Control.

By Mr. LUDLOW: A bill (H. R. 8379) granting an increase of pension to Catherine J. Robertson; to the Committee on Invalid Pensions.

By Mr. TURNER: A bill (H. R. 8380) for the relief of Thomas J. Jackson; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8728. By Mr. ANDREW of Massachusetts: Petition of the General Court of Massachusetts, memorializing Congress relative to the use of granite in the construction of public buildings; to the Committee on Public Buildings and Grounds.

8729. Also, petition of the General Court of Massachusetts, urging Congress to increase the tariff on watch movements, and to aid the watch industry and persons employed therein; to the Committee on Ways and Means.

8730. By Mr. DRISCOLL: Petition of citizens of Oil City, Pa., favoring continuous operation of the tobacco industry under National Recovery Act codes; to the Committee on Ways and Means.

8731. By Mr. FORD of California: Resolution of the United Spanish War Veterans of the Department of California, memorializing the Congress of the United States to pass House bill 6995 and thus restore the pensions which were taken away from many Spanish-American War veterans who are now aging and physically unable to overcome the economic difficulties of today; to the Committee on Pensions.

8732. By Mr. HIGGINS of Massachusetts: Resolution memorializing the President and Congress of the United States in behalf of the watch industry; to the Committee on Ways and Means.

8733. Also, resolutions memorializing Congress relative to the use of granite in the construction of all public buildings; to the Committee on Public Buildings and Grounds.

8734. By Mr. KRAMER: Joint resolution of the California Assembly urging Congress to furnish aid in the construction of check dams in the Salinas River Valley; to the Committee on Rivers and Harbors.

8735. By Mr. MARTIN of Massachusetts: Memorial of the General Court of Massachusetts, urging the use of granite in construction of public buildings; to the Committee on Public Buildings and Grounds.

8735a. Also, memorial of the General Court of Massachusetts, urging the Government of the United States, in negotiating a reciprocal treaty with Switzerland, to refrain from reducing the tariff on watch movements; to the Committee on Ways and Means.

8736. By Mr. MERRITT of New York: Petition of Edwin R. Dobbin, director and representative for northern district, Utilities Employees Securities Co., Ithaca, N. Y., and 6,844 employee holders, protesting against the passage of the bill known as the "Public Utility Holding Company Act of 1935", and urging Congress to defeat same; to the Committee on Interstate and Foreign Commerce.

8737. Also, petition of the Ithaca Chamber of Commerce, protesting against the enactment of the Public Utility Act of 1935, and calling upon Congress to defeat same; to the Committee on Interstate and Foreign Commerce.

8738. By the SPEAKER: Petition of the Oakland Lodge, No. 802, Brotherhood of Railway and Steamship Clerks; to the Committee on the Judiciary.

SENATE

THURSDAY, JUNE 6, 1935

(Legislative day of Monday, May 13, 1935)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, June 5, 1935, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 927. An act to amend the act entitled "An act to give war-time rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United